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USD Print Media Coverage
February 2004

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“We must be mindful of how a university education should prepare our graduates for a global economy, addressing social, political and economic issues that know no boundaries.”

sity education should prepare our graduates for a global economy, addressing social, political and economic issues that know no boundaries,” says Lyons, who was recruited from the College of Saint Benedict in Minnesota last year. “Given our presence as the only Catholic university on the border with Mexico on the North American side, it is also imperative that we pay particular attention to the opportunities that come with our proximity to Mexico and its extraordinary population.”

Lyons, 56, says USD is working to make a strong connection with the local Hispanic community. The Berkeley grad says San Diego’s rich tapestry of cultures can and should influence how USD educates future students. She says San Diego is a great laboratory for learning how to address social and economic challenges.

“If we can figure out how to do it in California, we can be a model for the nation,” Lyons says. She says the community’s support will become more and more important in helping USD meet these and other goals, especially finding financial support for students. Despite these challenges, she looks to the future with confidence.

“My hope is that as I make my home here, not only at the university but in San Diego, I’ll be able to bring more people to know and love this university as I do, and to discover ways through which the university can live its mission on behalf of all the community.”

UNIVERSITY OF SAN DIEGO

DR. MARY E. LYONS

Since July 2003, Dr. Mary Lyons has been on a mission to enhance the University of San Diego’s profile as an internationally recognized institution while maintaining its strong ties to the local region and to its faith-based educational foundation. The new USD president is expected to fuel the university’s strategic plan, which seeks to educate model citizens, to offer educational experience, to strengthen its nationally ranking academic programs and to tap into the rich resources of the region’s diverse communities.

“We must be mindful of how a univer-

former Pardee Construction chairman

By Jack Williams
STAFF WRITER

George M. Pardee Jr., who helped turn a small family-owned construction firm into one of the largest home builders in the West, has died. He was 87.

Mr. Pardee died of prostate cancer yesterday at his downtown condominium, said John Pardee, his son.

Before retiring in 1981 as chairman of home building and land development for Pardee Construction Co., Mr. Pardee oversaw projects throughout San Diego County, other parts of Southern California and Las Vegas.

He helped rejuvenate downtown San Diego's residential



George M. Pardee Jr.

sector by laying the groundwork for Park Row townhomes, which opened in 1982. He also is credited with turning Mira Mesa into a mecca for first-time home buyers in the late 1960s.

Mr. Pardee maintained an equally high profile in the community as a generous supporter of the University of San Diego, the Mingei International Museum and Boy Scouts of America.

"Basically, he ran his whole life according to the Boy Scout oath," said Vance Meyer, a retired executive vice president and chief operating officer for Pardee Construction. "He felt his company should be thinking that way, and even after he sold the company that strong philosophy continued."

The company was acquired in 1969 by Weyerhaeuser, a wood products company. In the past several years, Pardee has been surpassed by such national firms as KB Home and DR Horton as San Diego's top

home builder.

"You couldn't do business with a better man than George," said Mike Madigan, a former senior vice president at Pardee. "His word was his bond."

In breaking ground in Mira Mesa in the late 1960s, Mr. Pardee "wanted to get the cost down and produce a home for the first-time buyer," Madigan said. "He had done developments in Chula Vista and Clairemont, but Mira Mesa really gave the company a reputation for affordable housing among first-time buyers."

A decade later, Mr. Pardee was persuaded by then-Mayor Pete Wilson to build homes in downtown San Diego as part of an effort to revitalize the city's deteriorating urban core.

"It was his last big thing," Madigan said, "and it opened before Horton Plaza."

Mr. Pardee, a Hollywood native, entered the construction

business in 1946 with his brother, Hoyt, and their father, George M. Pardee Sr. Another brother, Jay Douglas Pardee, joined the firm in 1948.

They built their first subdivision in Pacific Palisades and in 1955 expanded to San Diego with the Clairemont East development. By the time Mr. Pardee retired, the company had built and sold more than 27,000 houses.

Mr. Pardee, a UCLA graduate, became a major supporter of USD after moving to San Diego.

"He was the ideal trustee," said Author Hughes, former USD president. "In addition to capital gifts, he was an active member of the board. He was quiet and soft-spoken, but when he decided to address a subject, he got the attention of fellow board members."

In 1990, USD dedicated the Katherine M. and George M. Pardee Legal Research Center.

The Pardees gave \$2.5 million toward the \$6.1 million center.

Their contributions gave them naming rights in 1996 to the Katherine Mae and George M. Pardee Jr. Grand Plaza Gallery at Mingei International Museum in Balboa Park.

"George was a true leader," said Martha Longenecker, president and director of the museum. "He was totally honest and inspirational."

Mr. Pardee was active over the years with various business and chamber groups, the San Diego Museum of Art, Scripps Clinic and Research Foundation and the American Humanities program.

Alex DeBakcsy, a longtime friend, said, "George's greatest pleasure was boating. He had several boats and enjoyed them all."

Mr. Pardee's 25-year marriage to Marian Andrews, with whom he had four children, ended in 1965. He married

again in 1967, wedding Katherine Mae Newton.

He became a Roman Catholic in 1978 in a ceremony conducted by Bishop Leo T. Maher in the Pardees' private chapel at their La Jolla home.

Katherine Pardee died in February 2002.

Survivors include his daughters, Anne Koch of Shelburne, Vt., and Carolyn Beahrs of Darien, Conn.; sons, John of San Diego and Neal of Los Angeles; brothers, Hoyt of Los Angeles and Jay Douglas of Rancho Santa Fe; and nine grandchildren.

A private interment is scheduled for Friday. A memorial service is scheduled for 11 a.m. Saturday at the University of San Diego Founders Chapel. The family requests no flowers.

Staff writer **Mike Freeman** contributed to this report.

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George Pardee Jr., 87; Home Builder Was a Leader in Developing Region

By ROGER VINCENT
Times Staff Writer

4154

George M. Pardee Jr., one of Southern California's most prolific home builders, died Monday of prostate cancer at his condominium in downtown San Diego. He was 87.

His company, Pardee Construction, was a leader in the development of the region after World War II, building homes in several areas including Pacific Palisades, Las Vegas, Pomona and San Diego. By the time he retired as chairman in 1981, the company had built more than 27,000 homes, mostly for first-time buyers.

The company, now known as Pardee Homes, remains based in Los Angeles and is developing housing throughout Southern California and southern Nevada.

Pardee was born on May 31, 1916, at his parents' Hollywood home because his mother didn't trust hospitals. He attended one of the last one-room schoolhouses in Santa Monica Canyon before graduating from Beverly Hills High and then UCLA in 1938.

He worked at the Good-year Tire and Rubber Co. for two years after college and then held various positions at Douglas Aircraft Co. during the war, finishing his employment as a department supervisor in 1945.

While at Douglas, Pardee took a correspondence course in building contracting and got his state contractor's license. In 1946, he built his first house, for himself and his family, in Pacific Palisades, using a design provided by his father, George M. Pardee, a designer and builder working in Beverly Hills.

In February 1946, George Jr. formed Pardee Construction Co. with his brother Hoyt and his father. They adopted a policy that all business decisions had to be unanimous, because the brothers didn't want to outvote their father. They maintained that policy after another brother, J. Douglas Pardee, joined the company in 1948, and after their father's death in 1952.

The company's first subdivision was in Pacific Palisades, where the firm developed homes on a 70-acre parcel in partnership with St. Matthew's Episcopal Church.

One of Pardee's biggest competitors was Ray Watt, head of Santa Monica-based Watt Cos., who had a cordial relationship with Pardee. Watt, the Pardees and representatives from about six other Southern California home builders took occasional weekend retreats together from the 1950s through the '70s, Watt said. The men would play cards and then discuss what was going on in their business.

"It was a new industry in those days, and we were trying to be more proficient and build better projects and better organizations for ourselves," Watt said. They frequently toured and critiqued each other's developments, then went back to the card table.

Pardee was a Boy Scout in an industry populated by some cutthroat operators. He joined the Scouts on his 12th birthday, which in 1928 was the youngest eligible age. He earned the rank of Eagle and remained a registered Scout for the rest of his life. He ran his business by the Boy Scout oath, said his son John Pardee.

"He believed you can be a success while still maintaining high ethical standards," his son said. "I think people really respected him for that."

Pardee is survived by brothers Hoyt and J. Douglas; his children, Anne Koch, Carolyn Beahrs, and John and Neal Pardee; and nine grandchildren.

A memorial service will be held at 11 a.m. Saturday in the Founders Chapel at the University of San Diego. The family requests that memorial donations be sent to the University of San Diego or to a favorite charity.

LOS ANGELES TIMES

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Obituaries

*'He believed you can be a success
while still maintaining
high ethical standards.'*

John Pardee, son



GEORGE M. PARDEE JR.

*When he started with his brother and his
father in 1946, they adopted a policy that all
business decisions had to be unanimous.*

Posted on Wed, Feb. 25, 2004

George Pardee, part of home-building family, dead at 87

Associated Press

SAN DIEGO - George M. Pardee, Jr., who helped turn his family's construction company into one of the largest home builders in the West, has died. He was 87.

Pardee died of prostate cancer Monday at his condominium in downtown San Diego, said John Pardee, one of his sons.

Pardee was born in Hollywood and entered the construction business in 1946 with his brother, Hoyt, and their father, George M. Pardee. Another brother, Jay Douglas Pardee, joined the firm in 1948.

Beginning in the 1950s, Pardee Construction built home developments in Southern California and Las Vegas, with a focus on building homes affordable to first-time buyers.

By the time Pardee retired in 1981 as chairman of home building and land development, the company had built and sold more than 27,000 homes.

Pardee helped revitalize downtown San Diego by laying the groundwork for a townhome development that opened in 1982.

Pardee and his wife, Katherine, were active in several charities and organizations in San Diego. Their contributions led the University of San Diego to name a legal research center in their honor, and the Mingei International Museum to name its grand plaza gallery for them.

Pardee, a former Eagle Scout in the Boy Scouts of America, was on the organization's national board from 1969 to 1986, and served as president of its Western region for two years.

Pardee is survived by two daughters and two sons and nine grandchildren. Katherine Pardee died in 2002.

A private interment is planned for Friday. A memorial service is scheduled for Saturday at the University of San Diego Founders Chapel.

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Kyoto Laureate Symposium

International Kyoto Prize Winners To Speak And Be Feted In San Diego

Event honors groundbreaking works in basic science, advanced technology and the arts

By DONALD H. HARRISON

In what may be an unprecedented level of cooperation three local universities will host a symposium March 3 through 5 at which the three winners of the prestigious Kyoto Prize will discuss their groundbreaking works in basic science, advanced technology and the arts.

The laureates, astrophysicist Eugene Newman Parker of the University of Chicago, nanotechnologist George McClelland Whitesides of Harvard University and bunraku puppet master Tamao Yoshida of Osaka, Japan, each received a gold medal and \$400,000 during ceremonies Nov. 10 in Kyoto, Japan.

When they reassemble in San Diego, the 2003 Kyoto Prize winners not only will discuss their works and hear other lecturers in their fields, they will be feted by San Diegans awakened to the opportunities and prestige that close association with the Kyoto Prize may bring to this region.

Organizers Malin Burnham and Tom Fat say association with the Kyoto Prizes burnishes San Diego's reputation as an international city.

The Kyoto Prizes are considered by many academics to be surpassed only by the Nobel Prizes in distinction, and, in fact, several Kyoto Prize laureates have gone on to win Nobel Prizes.

Industrialist Kazuo Inamori established the prize in 1984, a quarter century after founding Kyoto Ceramics Co., which became known as Kyocera. Famous for non-conductive housings for semiconductors, the growing Japanese concern established its American headquarters in San Diego in 1971, where it has remained. The international company expanded into the manufacture of electronics devices, photovoltaic systems, artificial gemstones, biomedical devices, and the operation of Japan's second largest telephone company.

In support of its semiconductor operations, Kyocera also established a maquiladora opera-

tion in Tijuana in 1989.

In 1996, Inamori was the commencement speaker at USD and the recipient of an honorary doctorate in humane letters. Inamori, in turn, invited then USD President Alice Hayes to attend the Kyoto Prize ceremonies in Japan.

After attending several such ceremonies, Hayes persuaded Inamori to create the Kyoto Laureate Symposium on the USD campus, on a three-year trial basis, beginning in 2002. Hayes told Inamori that his emphasis on conservation and world peace would find a natural ally at USD's new Joan Kroc Center for Peace and Justice.

Inamori, who spent time at a Buddhist Monastery after his retirement as chairman of

Kyocera Corp., was attracted by the confluence of Buddhist and Catholic ethics, Hayes says.

Although the subsequent symposia featuring the laureates of 2001 and 2002 drew attendees from the USD campus and some members of the surrounding community, the high-level academic gatherings received relatively scant media attention. Disappointed, Inamori said he might move the symposium somewhere else if it continued to generate so little interest in San Diego.

Stephanie Kellems of the Alarus Agency told restaurateur Tom Fat about the possibility of San Diego losing this connection to an internationally known award, and Fat, in turn, contacted insurance and real estate mogul Malin Burnham, for help.

Before Burnham committed himself to the effort, he wanted assurances that the symposium would remain in San Diego for at least another year, and possibly longer, if the community mobilized in its behalf. Inamori gave

such assurances to Don McGraw, USD's associate provost, at the Kyoto Prize ceremonies at which Parker, Whitesides and Yoshida were presented their prizes.

Thus satisfied, Burnham persuaded SDSU President Stephen Weber and UCSD Acting Chancellor Marsha Chandler to involve their campuses in the programming, and to lend the weight of their respective mailing lists to the marketing effort.

McGraw says the intercollegiate cooperation extended even further, with various private universities, community colleges and Mexican institutions of higher learning joining in the outreach efforts as well as in planning the symposium program.

Weber describes Burnham as a visionary who sees San Diego as a growing force on the Pacific Rim. Magnifying the activity level in San Diego and Tijuana on behalf of the Kyoto Prizes seems a logical adjunct pursuit for Burnham.

The SDSU president notes the three universities have cooperated in various activities, but never in such a focused effort as the joint sponsorship of the symposium. He says universities often create bilateral degree programs, in which students may take course work at either institution, but that this symposium raises the possibility of multi-lateral degree programs.

Jim Langley, UCSD's vice chancellor for external relations, agrees multilateral degree programs such as those

that already exist in Massachusetts are possibilities. He also believes greater cooperation among the Inamori Foundation and the three universities is possible in related areas.

Burnham suggests Inamori "might be interested in furthering his philosophy of peace and justice and conservation in the world, and San Diego could be another mountaintop from which to shine that beacon. Certainly America consumes more natural resources than any other place in the world, and this would be a place to have on a full-time basis an Inamori



George McClelland
Whitesides



Eugene Newman Parker

Institute that could employ some scholars specializing in these subjects. He's doing it now in Japan; how about linking it to the United States and having another base, or another platform?"

With such goals in mind, organizers plan two major events prior to the symposium to help increase awareness of the symposium's importance. First, on the UCSD campus at 11:45 a.m. March 3, the UCSD Medal will be conferred upon Inamori, whose Inamori Foundation underwrites the Kyoto Prize.

At 5:30 p.m., a black tie reception and gala will be held at the Manchester Grand Hyatt. Qualcomm Inc., which in 1999 sold its cellular phone division to Kyocera, is the evening's title sponsor, and other companies like Manpower Inc., which handles Kyocera's local needs for temporary workers, also have taken sponsorships.

From the proceeds, organizers plan to fund six \$10,000 scholarships for San Diego and Tijuana high school students to pursue college studies in the three fields honored by the Kyoto Prizes: basic science, advanced technology and art and philosophy.

The formal symposium will begin March 4 with a luncheon on the SDSU campus when UCSD professors Charles Kennel and Peter Wolynes pay tribute to the works of Parker and Whitesides. Parker is renowned for his work on the solar wind that blows toward earth while Whitesides is best known for his research on self-assembling organic molecules for nanotechnology.

The laureates will be presented formally at a 1:30 p.m. ceremony at SDSU's Smith Recital Hall, where Weber, Chandler and USD President Mary E. Lyons will speak and the inaugural six Kyoto Youth Scholar Discovery



Tamao Yoshida

Awards will be presented.

From SDSU, the symposium then will move to its original home on the USD campus for presentations by Whitesides and Parker at the Joan B. Kroc Institute for Peace and Justice. There, Stephen Berry of the University of

Chicago and Edward C. Stone of Caltech's Jet Propulsion Laboratory will make presentations concerning accomplishments in basic science and advanced technology.

Events of March 5 in USD's Shiley Theatre include a presentation by the Icarus Puppet Co. in honor of laureate Tamao Yoshida, and a lecture by author Barbara Adachi on bunraku puppetry.

At the ceremonies, Tamao Yoshida will represent the 85-year-old laureate, who was declared in 1997 to be one of Japan's "living national treasures." A demonstration of the three-quarter life-sized puppets handled by black-clothed masters will precede the symposium's formal closing ceremonies.

Two San Diegans are Kyoto Prize winners: Salk Institute biologist Sydney Brenner won in 1990 and Scripps oceanographer Walter H. Munk in 1999. Whitesides, although not a San Diegan, has an affiliation with Scripps as a member of its scientific advisory board. He also serves on the board of scientific governors of Diversa, a biotech based in San Diego.

Munk is a member of the growing host committee for the pre-symposium gala, along with the mayors of San Diego and Tijuana, several members of Congress, former California Gov. Pete Wilson, representatives of various universities, colleges and educational institutions, and (as a matter of disclosure) publisher Gary Shaw of *San Diego Metropolitan* magazine. ♦

BIOTECH from page 45

biotech that has grown rapidly, in part because of a series of large acquisitions that have expanded the company's product line.

Invitrogen got its start making biological research products for use by scientists. The company aggressively developed kits that help isolate and clone genes. It complemented these products by purchasing companies in related fields, such as Molecular Probes, an Oregon-based maker of fluorescent labeling products.

In December, Invitrogen announced it would pay \$500 million in cash, including assuming about \$70 million in debt, to purchase BioReliance of Rockville, Md., a biotech manufacturer.

Gregory T. Lucier, Invitrogen's chief executive, says the deal advanced the company's goal "to create a company that has an operating system from original research to final production of new biologically based therapeutics."

This is exactly the thing Lucier was known for doing when he was at General Electric's Medical Systems Information Technologies division. He joined Invitrogen last May.

Invitrogen stock sold for slightly less than \$32 per share at the beginning of 2003. By the beginning of this year, the price had soared to nearly \$70.

Gen-Probe's progress since its spin-off also bears watching, Hale says.

Birndorf says there may be room for expansion because financing has gotten easier. "You go through cycles," Birndorf says. "There's good times and bad times. In the bad times, everybody talks about there's going to be more acquisitions and consolidation, and there was no worse time than the last three years in the history of biotech, as far as I and many people are concerned."

"Since March of 2000 until the last six months, roughly, things have just been horrible. There was very little venture money, the public markets were closed, secondary offerings were closed. The only place to get money, basically, was through

angel investors or from corporations."

Nanogen itself survived because it had raised \$85 million "right before the bubble burst," Birndorf says.

Had Nanogen been forced to look for a buyout a year ago, it wouldn't have fetched very much money. Its stock price was \$2 per share, giving it a market capitalization of less than \$50 million — one thousandth that of Genentech. Today, Nanogen stock sells for just under \$12 per share. "We had enough to weather the storm," Birndorf says. "Had it gone on for another year or year and a half, we might not have. We might have run out of money."

Although on the rebound, Nanogen remains a bio-gnat, with a valuation of just under \$320 million. And the odds remain formidable against it or any other San Diego biotech growing up into a community-transforming Eli Lilly, a Merck, or Pfizer. If their products fail, they fall. If they succeed, they become attractive to a big pharma with billions of dollars to spend.

But some companies beat the odds. Amgen and Genentech did. Genentech was even bought a few years ago by Roche Holding AG, the Swiss pharmaceutical giant, which turned right around and spun off Genentech again as a public company — with its stock still mostly owned by Roche, to be sure.

What convinced Roche to keep Genentech legally separate was the company's record of scientific research and innovation, a culture that no large pharmaceutical company has been able to master.

And in San Diego Qualcomm beat the odds, for similar entrepreneurial reasons. Both companies are led by academic scientists who turned out to be extraordinary businessmen — Arthur Levinson for Genentech and Irwin Jacobs for Qualcomm.

Somewhere among San Diego's hundreds of public and private biotechnology companies, there may be a third industry-transforming leader to rank with Levinson and Jacobs. Maybe more than one. ♦



All Headlines

February 17, 2004 03:00 AM US Eastern Timezone

Historic Collaboration between Major Universities Brings 19th Annual Kyoto Prize Laureates to San Diego

SAN DIEGO--(BUSINESS WIRE)--Feb. 17, 2004--

San Diego's three major universities to host Third Annual Kyoto Laureate Symposium; Six area students to receive commemorative Kyoto Youth Scholar Discovery Awards

The Inamori Foundation and the University of San Diego will bring together the laureates of the 2003 Kyoto Prize for a symposium showcasing their lifelong achievements March 3-5, 2004, through public events at USD; University of California, San Diego; and San Diego State University.

Recognized as Japan's highest private award for lifetime achievement, the Kyoto Prize is presented annually by the non-profit Inamori Foundation to honor those who have contributed significantly to the scientific, cultural, and spiritual development of mankind.

The inaugural Gala "The Many Faces of the Kyoto Prize" will serve as the celebrated opening of the symposium at 5:30 p.m., March 3, 2004, at the Manchester Grand Hyatt Hotel in downtown San Diego. Gala proceeds will benefit the newly established Kyoto Youth Scholar Discovery Awards, an essay contest for San Diego-Tijuana area high school students reflecting the three annual Kyoto Prize categories: Advanced Technology, Basic Sciences, and Arts and Philosophy. Six recipients of these Kyoto Youth Scholar Discovery Awards (three from San Diego and three from Tijuana) will receive significant cash gifts to assist in funding their higher education. Gala co-chairs include Malin Burnham of the Burnham Companies, Marsha Chandler, UCSD's acting Chancellor, and Tom Fat of Fat City, Inc. The Gala Master of Ceremonies will be Parade Magazine's Science Editor David H. Levy. Mr. Levy is a world-renowned author and discoverer of comets, most notably Shoemaker-Levy 9, which collided with Jupiter in 1994.

The Symposium will continue March 4-5, 2004, with presentations by the laureates and responses by distinguished scholars in each laureate's field. The works of the 2003 laureates -- Dr. George McClelland Whitesides, Dr. Eugene Newman Parker, and Maestro Tamao Yoshida -- will provide a rare glimpse into some of the most remarkable achievements of our time in the areas of materials science, astrophysics, and Bunraku puppet theater.

"I am convinced that the future of humanity can be assured only through a balance of scientific progress and spiritual depth," said Dr. Kazuo Inamori, founder of the Inamori Foundation. "It is my sincere hope that the Kyoto Prize may serve to encourage the cultivation of both our scientific and spiritual sides."

University of San Diego President Dr. Mary E. Lyons, commenting on USD's ongoing role with the Kyoto Laureate Symposium, stated, "We are very pleased that Dr. Inamori has again chosen the University of San Diego as the host for this broad community event. We are thrilled to have the other universities and colleges join us in this three-day celebration of the Kyoto Prize."

Gala Co-chair Malin Burnham, noted philanthropist and businessman, echoed Dr. Lyons' sentiments: "This Symposium demonstrates the international status of both the Kyoto Prize and San Diego. San Diego's universities and colleges have joined hands to ensure the future of the Kyoto Laureate Symposium in our city. The leaders of higher learning institutions in San Diego and Tijuana understand the significance and prestige of this event, and what an incredible honor and resource it is for our community."

Inamori established his foundation in 1984 with a personal donation of 20 billion yen; his subsequent donations have raised the Foundation's net assets to approximately 64.5 billion yen (about \$540 million) as of March 31, 2002.

He created the Kyoto Prize after consultation with the Nobel Foundation of Sweden, which sent representatives to Japan in 1985 to accept the first Kyoto Prize as a special commemorative award. Since then, the Kyoto Prize has been presented annually in the categories of Advanced Technology, Basic Sciences, and Arts and Philosophy.

As of November 2003, the Kyoto Prize has been awarded to 63 laureates from 12 countries -- ranging from scientists, engineers and researchers to architects, sculptors, and film directors. Laureates receive a diploma, a Kyoto Prize medal, and a cash award of 50 million yen (approximately \$450,000) per prize category. The United States has

produced the most recipients, with 27 laureates, followed by the United Kingdom (nine), Japan (eight) and France (seven).

Symposium Participants:

Advanced Technology

The 2003 Kyoto Prize for Advanced Technology was chosen from the field of Materials Sciences and Engineering. Chemist George McClelland Whitesides, a professor at Harvard University, received the award for pioneering a technique of organic molecular self-assembly and many applications for this new technology in the field of nanomaterials science.

Dr. Whitesides' discoveries increase our understanding of how molecules can assemble themselves and how such assembly can be applied to building practical devices only a few millionths of an inch in size (nanotechnology). Whitesides applied his technique for organic molecular self-assembly, or "self-assembled monolayers (SAMs)," to develop "soft lithography," a micro-contact printing method that employs organic substances, making complex patterning possible at the micron level. The pharmaceuticals industry, for example, is using "soft lithography" to make tools that facilitate the development of powerful new drugs. Researchers are also adapting the technique to make a new class of organic microelectronics. "Soft lithography" promises to make more powerful semiconductor devices at a significantly lower cost than conventional processes. In the future, nanotechnology is expected to help create machines, medicines and materials that can store trillions of bits of information, detect the onset of cancer, and even restore mobility in a paralyzed limb.

Basic Sciences

The 2003 Kyoto Prize for Basic Sciences was chosen from the field of Earth and Planetary Sciences, Astronomy and Astrophysics. Physicist Eugene Newman Parker, a professor emeritus at the University of Chicago, received the award for establishing a new perspective on astrophysics by elucidating the phenomena of solar wind and cosmical magnetohydrodynamics.

In 1958, Dr. Parker theorized that a strong wind blows incessantly from the sun, filling local interstellar space with ionized gas. With this discovery came much opposition and adamant adversaries; however, in 1962 his theory was proven through direct observation by Mariner II, and is now universally accepted. Having shown that the space between the sun and the Earth is filled with this supersonic flow of charged particles – and not a vacuum, as had been believed – his theory triggered drastic changes in the perception of space. His discovery has opened new dimensions in Earth and space sciences, and has become the bedrock of solar astronomy. Through his work there have been studies that show how the sun and its "solar wind" are capable of disrupting electrical power, short-wave radio, television and telegraph signals, navigational equipment (GPS and LORAN), military early-warning radar systems, the climate, and even communication satellites. In addition to his findings on solar wind, he used cosmical magnetohydrodynamics (the study of the interaction of magnetic fields in space) to explain the process that creates the solar magnetic field, what has now come to be known as the "Parker Instability." His theories have been used to expound on the mechanisms of geomagnetic storms, auroras, the creation of distant stars, and other solar-terrestrial phenomena.

Arts and Philosophy

The 2003 Kyoto Prize for Arts and Philosophy was chosen from the field of Theater, Cinema. Receiving the award was Maestro Tamao Yoshida, regarded as the world's foremost master of Bunraku puppetry, a classical Japanese performance art. Yoshida, who was also designated as one of Japan's "National Living Treasures" in 1997, has provided significant contributions to Bunraku's current status as the world's most highly refined form of puppet theater. At the age of 84, Yoshida continues to perform without any sign of decline, and is considered a premier stage artist. His devotion to the expression of the human condition is evident throughout each performance. His subtle and refined techniques, artistic sensibility and deeply detailed knowledge of traditional stories have all contributed to the accolades that Bunraku has earned among audiences outside Japan as an art that expresses the richness of the human heart more profoundly than any other puppet genre.

About the Inamori Foundation

The Inamori Foundation and the Kyoto Prize reflect Dr. Inamori's belief that human beings have no higher calling than to strive for the greater good of humankind and all the world – and that mankind's future can be assured only when there is a balance between scientific development and the enrichment of the human spirit. It is characteristic of the Kyoto Prize that it is presented in appreciation not only of outstanding human achievements but also of the spirit that motivated each laureate's contributions to mankind.

About the University of San Diego

Chartered in 1949, USD enrolls more than 7,000 undergraduate and graduate students who choose from more than

60 degree programs. The academic divisions include the College of Arts and Sciences, School of Business Administration, School of Education, School of Law, and the Hahn School of Nursing and Health Science. USD is best known for its commitment to teaching, the liberal arts, the formation of values, and community service.

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HEADLINE: USD Announces Winners of Inaugural "Kyoto Youth Scholar Discovery Awards;" Six Outstanding San Diego and Baja High School Students to Receive Total of \$60,000

DATELINE: SAN DIEGO, Feb. 26, 2004

BODY:

University of San Diego President Mary Lyons, in collaboration with The Inamori Foundation, today announced the six winners of the inaugural **Kyoto Youth Scholar Discovery Awards**. Named in honor of the **Kyoto Prize**, Japan's highest private award for lifetime achievement, these first-ever cash scholarships are the result of an international essay contest that began in November 2003 for high school juniors and seniors throughout San Diego County and the greater Tijuana region.

The awards will be made in three categories reflecting the three annual **Kyoto Prizes**: Advanced Technology; Basic Sciences; and Arts and Philosophy. Each award will include a \$10,000 gift to support the winner's higher education goals, funded entirely by the March 3 benefit gala "The Many Faces of the **Kyoto Prize**," an overture to San Diego's 2004 **Kyoto Laureate Symposium** (www.kyotoprize.org). Three American and three Mexican winners will be honored during the Symposium's Opening Ceremony the following day.

Winning in the Advanced Technology category are Ian Goodfellow of San Dieguito Academy in Encinitas, and Sandra Guzman Martinez of Instituto Cuauhtlatohuac, A.C., both writing about 2003 **Kyoto Prize Laureate** Dr. George McClelland Whitesides.

Winning in the Basic Sciences category are James Zou of Scripps Ranch High School in San Diego, and Carlos Alberto Cabrera Gonzalez, of Centro de Bachillerato Tecnologico Industrial y de Servicios (CBTIS) #116 in Tijuana, both writing about 2003 **Kyoto Prize Laureate** Dr. Eugene Newman Parker.

Winning in the Arts and Philosophy category are Shayla Mulvey, from **University of San Diego High School** in San Diego, and Roxana Rosas Fregoso, from CBTIS #155 in Tijuana, both writing about 2003 **Kyoto Prize Laureate** Maestro Tamao Yoshida.

"USD is extremely pleased with the supporters who have made these **Kyoto Youth Scholar Discovery Awards** possible, ranging from business and community leaders to the San Diego County Office of Education," said Dr. Donald J. McGraw, USD's Associate Provost and Chair of the Coordinating Committee for the 2004 **Kyoto Laureate Symposium**. "Further, if not for the efforts of our Judging Committee, a large panel of academic leaders chaired by Dr. Lilly Cheng of San Diego State University (SDSU), selecting these winners would have been immeasurably difficult."

The cash value of the awards, McGraw added, reflects the generosity of gala sponsors and the enthusiastic fund-raising of the Gala Host Committee, co-chaired by Malin Burnham, Chairman of the Burnham Companies; Tom Fat, President of Fat City, Inc.; and Dr. Marsha Chandler, Acting Chancellor of University of California, San Diego (UCSD).

The **Kyoto Youth Scholar Discovery Awards** were modeled after the philosophy of the **Kyoto Prize**. Award applicants were asked to write essays on the inspiration they have found in studying the lives and works of the current **Kyoto Prize Laureates**, and how that knowledge affects their vision of their own future.

The Kyoto Prize

Now in its 19th year, the **Kyoto Prize** is awarded by The Inamori Foundation of **Kyoto**, Japan, each November 10. It

consists of academic honors, a gold medal and a cash award of 50 million yen (approximately \$450,000), presented before representatives of Japan's Imperial Family and an audience of about 1,500 global dignitaries. By honoring a lifetime of achievement within a given field, the **Kyoto Prize** differs fundamentally from the Nobel Prize, to which it is sometimes compared.

The 2003 **Kyoto Prize** Laureates include Harvard University professor Dr. George McClelland Whitesides, who received the prize in Advanced Technology for his pioneering work in nanotechnology; Dr. Eugene Newman Parker, a Professor Emeritus at the University of Chicago, who received the prize in Basic Sciences for his contributions to the field of astrophysics, including his theoretical prediction of the solar wind and development of the field of magnetohydrodynamics; and Maestro Tamao Yoshida, a "living national treasure" of Japan, who received the prize in Arts and Philosophy for his lifelong work in the Japanese performance art of Bunraku puppetry.

The **Kyoto** Laureate Symposium

San Diego's **Kyoto** Laureate Symposium is a three-day celebration of the lives and works of those receiving the **Kyoto Prize**. The 2004 Symposium is hosted by USD and co-hosted by both UCSD and SDSU. Major events include the overture Gala, March 3, 5:30 p.m. at the Manchester Grand Hyatt hotel; the Opening Ceremony and presentation of the **Kyoto Youth Scholar Discovery Awards**, Thursday, March 4, 1:30 p.m., at SDSU's Smith Recital Hall; presentations by the 2003 **Kyoto Prize** laureates in Advanced Technology and Basic Sciences, March 4, 4:00 p.m. at USD's Joan B. Kroc Institute for Peace and Justice Theater; and a rare performance of Bunraku puppetry by students of Tamao Yoshida, Friday, March 5, 1:00 p.m., at USD's Shiley Theater. With the exception of the Gala, all events are open to the public, free of charge. A complete schedule of events is available at <http://www.kyotoprize.org>. For Gala details, contact the Alarus Agency at 619-235-4542.

About the Inamori Foundation

The non-profit Inamori Foundation was established in **Kyoto**, Japan in 1984 by Dr. Kazuo Inamori, Founder and Chairman Emeritus of Kyocera Corporation and Honorary Advisor to KDDI Corporation. The Foundation's **Kyoto Prize** reflects Dr. Inamori's belief that human beings have no higher calling than to strive for the greater good of humankind and all the world -- and that society's future can be assured only when there is a balance between scientific development and the enrichment of the human spirit. It is characteristic of the **Kyoto Prize** that it is presented in appreciation not only of outstanding human achievements but also of the spirit that motivated each laureate's contributions to society.

About University of San Diego

The **University of San Diego** is a Catholic institution of higher learning chartered in 1949; the school enrolls approximately 7,000 students and is known for its commitment to teaching, the liberal arts, the formation of values and community service. The establishment of the Joan B. Kroc School of Peace Studies will bring the University's total number of schools and colleges to six. Other academic divisions include the College of Arts and Sciences and the schools of Business Administration, Education, Law, and Nursing and Health Science.

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February 18, 2004, 8:52 a.m.

Hanoi Jane Memories

Some vets are not fonda John Kerry.

By Anne Hendershott

WATERBURY, CT — While John Kerry's handlers continue to find Vietnam War buddies to provide a patriotic prop for each campaign stop, there are thousands of others who view Kerry as one who slandered American soldiers following the war. They remember his role, along with Jane Fonda, in portraying Vietnam War veterans as sadistic soldiers willing to torture and maim innocent civilians. They recall reading his 1971 book *The New Soldier*, a book with a picture of an American flag flying upside down on the cover and a description of what it called "routine" war-time atrocities committed by American military "war criminals." They witnessed his leadership in the Vietnam Veterans against the War march on Washington in 1971 when he supposedly threw his medals onto the steps of the Capital. And, most importantly, they bitterly remember his testimony before Congress in the "Winter Soldier Investigation" when his charges of American soldiers' war crimes were so extreme that even contemporary critics of the Vietnam war have disputed his outrageous claims.

Indeed many Vietnam veterans have bitter memories of John Kerry — just as they have for Jane Fonda because they both inflicted the same kind of pain for them. Kerry and Fonda attended the same antiwar rallies in those days and Kerry will probably wish he had moved out of camera range when the photographers arrived. But, in those days he was clearly proud of his antiwar activities. The country was in a different place then and his activities helped perpetuate the myth of our sadistic soldiers in Vietnam. Perhaps he thought that veterans would have forgotten his betrayal. But, in old factory towns like Waterbury, Connecticut — a town that became famous for a while when veterans tried to stop Jane Fonda from filming a movie there in the late '80s — there is little love for John Kerry and Jane Fonda among many veterans.

Waterbury vets have an especially long memory of the Vietnam War and its aftermath. Their city suffered far more casualties in that war than comparable Connecticut cities. And, they haven't forgotten. They still commemorate Veterans' Day each year by erecting a "Hanoi Hilton" cage in the middle of the city's green and veterans volunteer to take hourly shifts "imprisoned" in the cage. They have little tolerance for those they view as traitors. Even today, more than a decade after the Fonda movie controversy in town, you can still spot the bumper stickers on Waterbury cars with the slogan "We're Not Fonda Hanoi Jane."

During Fonda's time in the city, veterans organized to make her life miserable. They interrupted the filming by honking horns, waving flags within camera range, and picketing the old Waterbury button-factory building where the filming took place. Although they did not stop the film production, Waterbury vets considered their campaign a success as an exasperated Fonda finally appeared on ABC's *20/20* to publicly apologize to all of the veterans she may have offended during the war.

It is doubtful that John Kerry will ever apologize for his role in the radical and most unpatriotic movement. Many might have forgotten about his outrageous behavior and preposterous claims. But, there are certain sections in the city of Waterbury that Kerry may want to avoid as he continues his new march to the Democratic nomination.

— Anne Hendershott is professor of sociology at the University of San Diego. She is the author of *The Politics of Deviance*.

OUTSOURCING

THE AMERICAN DREAM

By George J. Bryjak 4154

Checking your credit card statement, a friendly voice greets you with: "Hi, ma name's Debbie, kin I hep ya? But this young woman trained to sound like a Texan resides in India. The original worker from Dallas whose job was sent to Asia is a victim of "outsourcing," the euphemism for transferring work to offshore locations.

Few people realize the magnitude and implications of this hemorrhaging of U.S. jobs.

Economists Ashok Bardhan and Cynthia D'Ambo of the University of California at Berkeley estimate that in July of 2003 between 25,000 and 30,000 IT (information technology) positions were outsourced to India alone. According to the Bureau of Vital Statistics, since 2001 "more than 500,000 people in IT professions in the United States have lost their jobs."

These staggering figures are just the beginning. A study of 400 of the nation's top 1,000 companies concluded that by 2006, between 35 percent and 45 percent of current full-time IT jobs will be sent overseas. The Bureau of Labor Statistics estimates that of the almost 128 million workers in this country, 11 percent — or just over 14 million individuals — are at risk of having their jobs outsourced.

IT positions will follow the millions of manufacturing jobs already lost, only at a more rapid pace. As Matthew Slaughter of Dartmouth College notes, "IT work will move faster because it is easier to ship work across phone lines and put consultants on airplanes than it is to ship bulky raw materials across borders and build factories."

Significantly lower labor costs (which translate into higher stock dividends and ever-increasing executive salaries) is the primary rationale for this job exodus.

While telephone operators in the United States earn an average of \$12.57 an hour, in India they make less than a dollar. Payroll clerks in

that Asian nation take home less than \$2 an hour whereas their counterparts in this country average \$15.17 an hour. With well-educated, low-wage work forces, India, China, Russia, Poland, Hungary, Ireland and other nations promise to fill every job sent their way for years.

What will happen to American workers sacrificed to outsourcing? Job-slashing corporations argue that displaced workers will secure employment in the next wave of economic development. They claim that just as agriculture was supplanted by manufacturing, which in turn gave way to the computer-information revolution, today's corporate casualties will find employment in the coming stage of economic progression.

Unfortunately, it's far from clear what that next economic phase will be, and when it will occur. Few experts anticipate the materialization of a "white knight" industry to save the day. And if such an enterprise does become reality, how long before newly created positions themselves are sent abroad, the cycle repeating itself?

For too many outsourced workers retraining for future employment, it will be a simple matter of learning to say, "Would you like to supersize that order?"

Bardhan and Kroll speculate that surviving outsourced occupations could face a "downward adjustment of salary and wages" making them internationally competitive once again. In this scenario, the domestic IT industry would bounce back, but at a significant loss of purchasing power for workers.

The ramifications of outsourcing are staggering not only for individuals whose positions are terminated, but for the larger society. Unemployment and underemployment (working below one's level of skill and training) will contribute to a shrinking tax base, as already financially burdened city, county and state governments cut back personnel and services. In a nation where 15 percent of the population has no medical coverage, that figure can only increase as most people secure health insurance through their employment.

Fewer good-paying jobs will await college

and technical schools graduates as the societal opportunity structure is diminished. The upward mobility of African-Americans, Latinos and other minority groups playing catch-up will be slowed.

High-tech cities such as New York, Boston, San Jose and San Diego are certain to be the big losers, while rural areas crippled by the loss of family farms have little chance of economic improvement. Suburbs with an employment base of "back office" activities (customer service personnel and medical transcribers, for example) can expect to see their labor force shrink. Why create jobs in Anytown USA when companies can employ people in Malaysia at a fraction of the cost?

What are the chances of checking this employment exodus? In a word, nil. While manufacturing jobs were leaving in droves, union membership and power declined steadily. There is no reason to believe that white-collar workers, the vast majority of whom have little if any history of collective organization, will create a viable movement to halt this trend.

At the national level, neither Republicans nor Democrats have shown any inclination to deal with this problem, if in fact they even consider outsourcing troublesome. Both parties are more or less committed to "economic globalization," and job outsourcing is but one aspect of this phenomenon.

The American Dream became a reality for millions of families in the post World War II era as a consequence of the rise of the middle class. However, the financial well-being of this socio-economic category is seriously threatened by the loss of manufacturing jobs, an expanding temporary work force (low-pay, no benefits, no job security), what some have referred to as the "Wal-Martization" of American labor (minimum wage, minimum benefits), and, as of late, outsourcing.

The current group of late teens and twentysomethings is likely to be the first generation of Americans that will not equal or surpass their parents' financial status. At the current rate of middle-class job erosion, their children will be the second.

Bryjak is a professor of sociology at the University of San Diego, currently on leave. He can be reached via e-mail at Gbryjak@aol.com.



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news

February 6, 2004

Professor Translates for Dalai Lama

By [Dawn Marie Woodward](#)

Corvallis - An Oregon State University philosopher is translating into English one of the most important texts in the Buddhist canon for a commemorative publication that will be given to 5,000 people attending the public teachings of the Dalai Lama this April in Los Angeles.



Jim Blumenthal, an assistant professor specializing in Buddhist philosophy, has completed a rough translation of "60 Stanzas of Reasoning" and will fine-tune his work in the next few weeks.

The text was written by a second-century Indian Buddhist philosopher, Nagarjuna, who arguably is the most important thinker in Buddhist history next to the Buddha, Blumenthal says. Nagarjuna describes in the text Buddha's view on perfect wisdom and the nature of reality.

Blumenthal also recently completed his own book, a study of one of the prominent interpreters of Nagarjuna's thought, a late Indian Buddhist philosopher named Shantaraksita, who brought Buddhism to Tibet. The book, "The Ornament of the Middle Way," is being published by Snow Lion Publications in Ithaca, N.Y., and is due for release in early March.

"There are now more than 4 million Buddhists in the U.S. and it is one of the fastest-growing religions in the country," Blumenthal said. "Yet only about 3 percent of the Buddhist canon has been translated to English. In the West, we've hardly scratched the surface."

The Dalai Lama has been giving public teachings in the U.S. for more than 25 years and Blumenthal has met him a handful of times.

"I hope to again this spring," he said. "He is an amazing person, without a doubt the most incredible person I've met. He practices what he preaches. He does more than talk about non-violence, he incorporates it into every activity of his life, every day."

"He has an incredible presence when you meet him face-to-face that is beyond words," Blumenthal added.

Translating Tibetan into English by itself is difficult, Blumenthal admits, and the

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works of Nagarjuna are even more complicated. The text is written in verse and depends on syllable counts. It is intended to be written as a terse guideline, accompanied by oral explanation from a qualified teacher – such as the Dalai Lama.

[Tax](#)[Hei](#)
[Off](#)[Sou](#)

Blumenthal first became interested in Buddhism while taking a metaphysics course as an undergrad at the University of San Diego. He went on to pursue his doctorate in Asian religions at the University of Wisconsin, where he studied Tibetan Buddhism for six years.

[Kul](#)
[Cut](#)[Blo](#)

"Tibetan Buddhism seemed to me to be the richest form of Buddhism, and they are the most thorough inheritors of original Indian Buddhism," he said.

[Mei](#)
[Dis](#)

Blumenthal since has spent more than two years in Nepal and India on a half-dozen trips and plans to go to Tibet for the first time this summer. Most of the important teachers of Tibetan Buddhism live in Nepal, he pointed out, after being exiled when China took over Tibet. The Oregon State University philosopher also spent three months living in a Tibetan monastery in southern India as part of a research project while at OSU.

[Ant](#)
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[Tric](#)

"It is the largest Buddhist monastery in the world today with more than 5,000 monks," he said. "I went to receive traditional oral commentary on some philosophical texts I was studying for my book. I would go to the lama's room each morning and he would read the texts line by line, unpacking the meaning of every phrase and word as we went along." Outside in the courtyard, the monks would practice debate for four to six hours a day," he added. "It was how they refined their philosophic reasoning. They thought it was a little strange that a lay person would study so intently. But they were very warm and welcoming."

[Mai](#)[Por](#)
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[Fire](#)

Blumenthal said many students at OSU are interested in learning about Buddhism and classes fill up quickly.

[Ele](#)
[Bel](#)

"Some hear bits and pieces about Buddhism in a world religions class, and others are drawn because the Beastie Boys or some other young bands are into it," he said.

[Ore](#)
[Cor](#)[Mei](#)

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Train them right; they'll do you proud

By CHARLENE BALDRIDGE
Beach & Bay Press

Globe Theatres/University of San Diego MFA graduates are making their presence felt nationwide, according to the professional training program's director, Richard Seer.

James O'Neil, class of '95, is rehearsing George Bernard Shaw's "Heartbreak House" at Boston's Huntington Theatre. Caitlin Muelder, class of '99, is playing Miranda in William Shakespeare's "The Tempest" at the Alabama Shakespeare Festival. Peter Smith, a graduate in '99 recently seen at the Globe in "Old Wicked Songs," is performing in the premiere of "An Infinite Ache" at Long Wharf. Henny Russell, class of '96, is performing in a new play at Yale Repertory Theatre.

Brian Hutchison, class of '00, is covering "Proof" on Broadway. Sarah Zimmerman, also class of '00, is cov-

The current crop of MFA candidates presents Shaw's "Heartbreak House" March 9-16 at The Studio Theatre...

ering "The Full Monty" on Broadway. Scott Ferrara, class of '96, is rehearsing the title role in "Hamlet" at the Denver Theatre Center. Glen Pannell, class of '01, is rehearsing "Amy's View" at CenterREP with Globe veteran Robin Pearson Rose, remembered in the Globe's 2001 season as Ma in the Seer-directed "Da."

Jim Parsons, class of '01, is performing in a new play off-Broadway, and Tami Mansfield also class of '01,

has a recurring role on TV's "The Guiding Light." Christine Brown, who received her MFA last year, will return to the Globe in Jeffrey Hatcher's "Compleat Female Stage Beauty," which opens in previews March 31.

Meanwhile, the current crop of MFA candidates presents Shaw's "Heartbreak House" March 9-16 at The Studio Theatre, Sacred Heart Hall on the USD campus. This delightful Shavian romp concerns mistaken identities, disguises, lies and even hypnosis. The primary concern is romance, as seen through the filter of Shaw's supreme wit and social introspection. For only \$8 theatergoers can see tomorrow's stars: (619) 260-4600. "Heartbreak House" is directed by North Coast Repertory Theatre artistic director Sean Murray, who staged Diversionary Theatre's most current hit production, "Never the Sinner." ■

WHEN IS CHANGING THE RULES, AS IN PRESIDENT BUSH'S IMMIGRATION PROPOSAL, JUST?

Fair game

4154 - San Diego Univ

By **Sandi Dolbee**, RELIGION & ETHICS EDITOR

Fairness is as American as apple pie. We make rules to help us play fair. We have laws that punish us when we don't.

Fairness is even part of our religious culture. "If a king judges the poor with fairness, his throne will always be secure," it says in the biblical book of Proverbs.

And then along comes change. The voting age gets lowered, the retirement age gets raised, and what used to be illegal becomes fair game.

President Bush wants to change the country's immigration rules so illegal

workers who are now here moonlighting could get legal status — at least temporarily. Under this plan, renewable, three-year visas would be made available for these men and women, as well as other foreigners interested in working here.

To help sell it, Bush invoked the fairness word.

"Out of common sense and fairness, our laws should allow willing workers to enter our country and fill jobs that Americans are not filling," the president said.

But how do we know when change is fair? And just what is fairness, anyway?

F SEE **Fairness, E4**

FAIRNESS

CONTINUED FROM E1

Will all benefit? It's a litmus test, says USD prof

"One of the key things about fairness is that notion that you treat everyone the same," says Lawrence Hinman, a philosophy professor and director of the Values Institute at the University of San Diego.

Stuart Gilman, president of the Ethics Resource Center in Washington, D.C., offers a like definition of fairness as equity. Fairness, he says, is "treating similar situations and similar people in the same manner."

But achieving fairness may be more of a journey than a destination. Fairness shifts with time — and awareness. Over time, the United States finally realized that slavery wasn't fair, that prohibiting women from voting wasn't fair, and that putting children to work in the factories instead of going to school wasn't fair.

"Sometimes rules have to change," says Hinman. Simply put: It's the fair thing to do. Or, as Gilman suggests, it's for the greatest good.

"You really need to think about the greatest good for the greatest number of people," says Gilman. "We have in the past created laws that created far more problems than they were worth, and we have modi-

fied those laws."

Litmus tests

Darrel Moellendorf, director of the Institute for Ethics and Public Affairs at San Diego State University, provides this answer about why fairness is important: "We care about fairness because the lives, well-being and plans of individual people are important. Fairness is part of respect for persons."

Moellendorf points out that fairness, if properly understood, is in our own self-interest. "The moral life leads to flourishing; it leads to social acceptance; it is part of being enlightened; it is necessary for eternal salvation; it is part of participating in the kingdom of God."

So how do we know if change is fair?

For Hinman, the litmus test is this: "Overall, once this change is instituted, we will all benefit, particularly those who are currently disadvantaged the most."

Gilman says he loves what he calls "the smell test." "Would you be embarrassed to read it above the fold on the front page of the newspaper or to explain it to a 12-year-old child?" he asks.

Or, he suggests you ask yourself if it would be good if everybody could do that. For example, would it be good if everybody could drink and drive? "Suddenly, those laws make sense," Gilman adds.

Which brings us to the question of whether Bush's tempo-

rary worker proposal, which still must be approved by Congress, is a fair one.

Mixed views

Certainly its critics don't think this is a fair idea.

One of the bosses of the Border Patrol union called it a "slap in the face" to those whose job it is to keep people from crossing into this country illegally. A former general consul for the Immigration and Naturalization Service worried that "the proposal is fraught with perverse incentives."

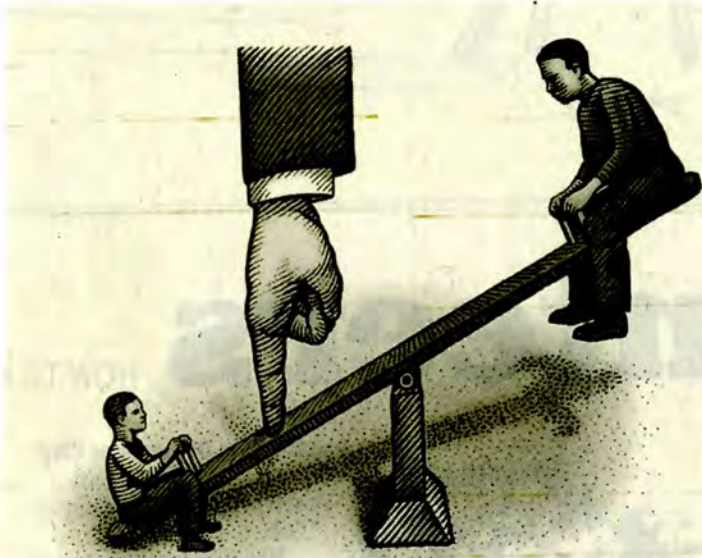
Ethicists, meanwhile, differ in their takes.

"I actually am impressed, in a sense, with the humanity behind the proposal," says Gilman, whose office is not far from the White House. "It tries to get at the greatest-good issue."

He thinks it will help the illegal workers because they won't have to live in the shadows and be vulnerable to exploitation and abuse by unethical employers. He also thinks it will help stem the flow of illegal entries and help control the borders.

As for those people who are upset because they played by the rules and got their green cards only after years of waiting, Gilman argues that illegal workers won't be rewarded permanently; their permits would only be temporary.

"It's a very, very limited proposal which attempts, at least in my mind's eye, to deal with the reality of what is happening today," Gilman adds.



Bush says his temporary worker proposal isn't meant to be an automatic pass to citizenship. That, he said in his State of the Union address last month, would "unfairly reward those who break our laws."

But USD's Hinman, who admits he's a guy who likes to play by the rules and expects others to do likewise, says he's troubled by the proposal because of its lack of equity for those who are most vulnerable.

It's like giving someone refuge and then turning them back out into the cold. "I think it could, in some ways make things worse," he says. People will get settled, their family will get settled, "and then to send them back seems to be a wrong-headed notion."

Hinman argues that all this new policy is likely to do is sim-

ply postpone for three years the bigger question of what to do about immigration in this country. "So I guess for me, it doesn't pass the fairness test."

Bracero revisited

It doesn't pass Rabbi Laurie Coskey's fairness test, either.

Coskey, director of the Interfaith Committee for Worker Justice in San Diego County, worries that it would make these men and women too dependent on their employers, which smacks of indentured service.

"You're only here at the whim of your employer and his system," she says. "I wonder what would happen to you if you misbehaved or complained or rabble-roused or did anything the employer would perceive as inappropriate?"

"It's a very, very limited proposal ... to deal with the reality of what is happening today," Gilman adds.

Bush's outline reminds her of the old *bracero*, or guest worker, program, which brought thousands of Mexican laborers here between the 1940s and 1960s. It is not remembered as a particularly fair program. "Legalized slavery," was one description.

"Who wins and who benefits from this proposal?" Coskey asks of the president's plan. To her, the winners are the employers who will legally get cheap and transient labor. She doubts that workers already here illegally will "out" themselves, only to risk being deported in a few years. "I wouldn't put myself in this situation."

So how does she know when a change in our laws is fair? "When what we do fits with our Constitution and the amendments," she answers.

The Constitution is framed around words like "justice" and "more perfect union" and "promote the general welfare." Even back then, fairness was as American as apple pie. But centuries later, we are still learning that it's a pie that we have to slice over and over again.

Focus | IN DEPTH

Bias and beyond

LULAC has spent decades battling discrimination. Its members now are debating its future.

By VIK JOLLY
THE ORANGE COUNTY REGISTER

The refrigerator was loaded on a trailer and hauled to downtown Santa Ana, bustling with shoppers from all of Orange County.

Near Fourth and Birch streets, the fridge was showcased and raffle tickets sold. The year was 1947.

Alex Maldonado, a young activist who had just joined the League of United Latin American Citizens, told people the money would go to help fight segregation in O.C. schools.

Nearly 60 years later, Maldonado can't help but think that his and LULAC's efforts had something to do with his three children graduating from desegregated schools.

LULAC marks its 75th anniversary today. The largest Latino organization in America is still chipping away at civil-rights issues but now has to compete for membership and name recognition in a far more crowded field.

Some say that a few of the issues LULAC campaigned against - housing and school desegregation and equal employment opportunities - have faded and that the group needs to focus more on raising money for students and the poor.

Others argue that discrimination against Latinos still exists, just in more subtle ways. Civil rights should remain at the heart of the organization's efforts, they say.

Still others believe that LULAC must join forces with other ethnic groups, advancing the cause of human rights for all.

Most agree that LULAC remains a vibrant group speaking on issues such as President George W. Bush's proposed guest-worker program and California's repeal of SB 60 - the law that would have allowed illegal immigrants to obtain driver's licenses.

"They provide a voice on behalf of the community to articulate a point of view of what they perceive to be the needs in the community," said Isaac Cardenas, professor and chairman of Chicana and Chicano Studies at California State University, Fullerton. "That's a voice that's much needed still."

LOCAL CHAPTERS GROWING

Founded in 1929 to fight discrimination in Corpus Christi, Texas, the organization is launching locally two new councils this month. Once chartered, a total of 13 councils in Orange County will boast more than 300 members.

The Santa Ana Council No. 147, of which Maldonado, 80, was a charter member, is the oldest council in California and was formed in 1946.

The organization also appeals to younger people like Sandra Cuzquen. The 22-year-old says if it wasn't for LULAC, she may not have become the first person in her family to graduate from college.

"Small steps are just as meaningful and important as the bigger strides," said Zeke Hernandez, Santa Ana council president. "Discrimination may have been more flagrant in the past; discrimination today

comes in loopholes and squeezed into legislation."

FIGHTING PREJUDICE

Maldonado faced overt discrimination.

"All doors were closed to us and we couldn't get into just about anything," said Maldonado of Anaheim.

He began attending meetings of LULAC's local forerunner, the Mexican-American Voters League of Orange County. Seeking recreational activities, Maldonado spent several months trying to organize a Latino basketball team in Orange's El Modena area. Getting into the YMCA's Orange league was tougher.

He was told the league had an even number of teams and adding a new one would cause scheduling problems. So he developed a new schedule.

Maldonado stayed with LULAC until the 1960s, when he got tuberculosis. The 36-year employee of Anheuser-Busch did not rejoin until 2000. By that time, his children - all college graduates - were grown, and he had survived cancer.

"Having been in segregated schools all those years, you never get

that off your skin," he said. "It gives you that identity that you are different, and you live with that, and it's something you sort of shake off of you as you grow up."

Was he able to?

"Not altogether," he said, hesitating. "No."

GIVING BACK

The darkest moment in Cuzquen's life was not fraught with discrimination.

She was more than halfway through college when her mother died of kidney failure. Hundreds of dollars in LULAC scholarship money had helped her reach her junior year at the University of San Diego. She quit school for a semester after her mom's death.

It was the unexpected financial help and kind support of LULAC's Westminster council that put her back on track to graduate with a psychology degree. In her moment of despair, she received cash to get by and a card with words of encouragement.

"It was just amazing what they did," said Cuzquen, who arrived in Orange County with her mother from Lima, Peru, when she was 9. "It

was really encouraging."

Now a mentoring program coordinator at the Anaheim Family YMCA, she officially joined LULAC last month.

"As long as there are people willing to help in the community, there's always someone who needs help. That's what LULAC is for, and I am a perfect example of it."

CONTACT THE WRITER:

vjolly@ocregister.com or (714) 704-3740

MORE ONLIN

For complete list of local councils:

www.ocregister.com

To learn more about LULAC:

www.lulac.org

Facts and councils

LULAC: League of United Latin American Citizens, the largest Latino organization in America.

Members: About 100,000 in 44 states; 4,000-5,000 in California; 200-250 in Orange County.

Mission: Social, political, economic and educational rights for Hispanics in the United States.

Orange County: Eleven chapters, including the state's oldest, Santa Ana, which provided two recent state presidents (Zeke Hernandez and Gil Flores). Adding two more chapters.

SOME OF THE ORANGE COUNTY COUNCILS

LULAC Orange County District #1 (220 members plus 32 chartering)

(Seven councils and one youth council; two councils being chartered)

Santa Ana LULAC #147 (25 members)

President: Zeke Hernandez

(714) 835-9585 / zekeher@juno.com

Anaheim LULAC #2848 (30 members)

President: Iola Gallardo

(714) 558-3261 / iolasmutt@yahoo.com

LULAC South Orange County District

#2 (approx. 45 members)

Irvine LULAC #2997

President: Nancy Rodriguez

fyi

San Diego

Datebook

The first in a **series of six lectures** on "Creativity, Research and the Arts" will be at 7 p.m. today, Institute of the Americas Copley Auditorium, University of California San Diego. Theodore Shank, a professor of theater and dance, will discuss "Alternative Theatre in the USA." Information: (858) 534-0999.

"Giclees: the New Fine Art Print," a **free art lecture**, 7 to 9 p.m. today, Mission Valley Branch Library, 2123 Fenton Parkway, San Diego. Justin Martens from ThePrintMaker.net will be the speaker. The program is presented by the La Jolla Art Association and the library. Information: (858) 573-5007.

Psychology professor David Matsumoto, author of "The New Japan: Debunking Seven Cultural Stereotypes," will give a **free lecture** titled "Culture and Psychology," 12:30 to 1:30 p.m. tomorrow, Joan B. Kroc Institute for Peace & Justice, University of San Diego. Matsumoto will present "The New Japan" at 7 p.m. Information: (619) 260-4003.

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Teti-Burroughs joins Teti and Olenik at Prudential RB

The award-winning team of Diane Teti and John Olenik, of Prudential California Realty in Rancho Bernardo, is pleased to announce the addition of **Jennifer Teti-Burroughs** to their team.



Jennifer Teti-Burroughs

Before joining Teti & Olenik, Teti-Burroughs served as an area operations manager for a large customer service organization. Concurrent with her employment, Teti-Burroughs earned her master's degree in organizational management. Prior to that accomplishment, she attended the University of San Diego and earned her bachelor's degree in sociology.

As a 27-year resident of San Diego, Teti-Burroughs is committed to helping improve and develop her community. Her love for her community, family and on-going education has helped to shape her business philosophy. Teti-Burroughs' proactive approach to problem solving and commitment to open and honest communication, are just a few of the assets that have contributed to her past success and will ensure the satisfaction of her clients.

Teti & Olenik are recognized for their excellence and commitment to their clients. The team takes great pride in their reputation, as evidenced by the fact that 90 percent of their business comes from repeat and referral clientele. Additionally, the Teti & Olenik team ranked in the top 1 percent of more than 44,000 Prudential agents nationwide in 2002.

School of Business Administration

Close-Up

FRONT PAGE

A blanket of security

*When it comes to his companies,
Kontopuls takes it personal*

By TIM COFFEY
The Daily Transcript

4154
SAN DIEGO — John Kontopuls is quoted in the newspaper just about every fall. As chief executive of the

Chargers' game day security firm **Elite Show Services**, in addition to owning several smaller businesses, Kontopuls knows well the habits of rowdy Raider fans. From their tailgating tactics, to

annual alcohol consumption, to inevitable fistfights, Kontopuls is an informed man.

"I think the local media look at me as an honest resource," he said. "On that subject, I think the Raider game has gotten a lot more mellow."

Kontopuls' knowledge extends beyond Raider fans. Since opening Elite with his brother Gus in 1995 on a one-year, \$600,000 contract to staff Padres' games, the company has become the preeminent local event staffing firm.

Elite has provided security for the Buick Invitational Golf Tournament and Del Mar Fairgrounds, San Diego's most recent Super Bowls and Rolling Stones concerts, and the last several years of home games for the Chargers and Padres.

Revenues topped more than \$8 million last year, up 25 percent from 2002. In 2001 Elite was No. 175 on the *Inc. Magazine* 500, a list of the fastest growing private companies by revenue.



John Kontopuls

See **Kontopuls** on 4A

DAILY TRANSCRIPT

SAN DIEGO, CA
DAILY 15,000
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Kontopuls

Continued from Page 1A

Kontopuls also is a recent graduate of the Executive Leadership graduate program at the University of San Diego. The program focuses on the servant-leader model by management guru Ken Blanchard that preaches leadership by serving employees.

Engaging workers is vital to the success of Elite, because current and future revenues depend entirely on the performance and reputation of Elite employees. The company has 200 full-time security guards primarily at office buildings and more than 3,000 part-time staffers for special events.

"We share our goals, vision and values with our employees," Kontopuls said. "When our employees are out there making decisions, they understand what the company is all about. It's not like they go to a training and fill out their legally required paperwork and then they're thrown out there."

Elite employees carry a card behind their workday ID badges with the company's mission statement and values ranked by importance. The cards are to remind employees that their individual decisions reflect on the entire company.

Kontopuls had a near perfect grade-point average at the USD leadership program, according to Kurt Gering, director of the department.

"I think he's just a natural-born leader," Gering said. "All the students in his class looked up to him."

Kontopuls is now a member of the program's executive committee.

The youngest of three sons born to Greek immigrants, Kontopuls

embraced entrepreneurship early on.

In college — he attended San Diego State University, as did his father and oldest brother — Kontopuls opened a printing business servicing campus fraternities and sororities. He closed the company after graduating with a business degree in 1988.

Kontopuls spent the next two years working for Great American Bank, becoming the San Diego training manager for the mortgage lending division. But, when **Wells Fargo & Co.** (NYSE: WFC) bought the bank in 1990 in the midst of a significant upswing in mortgage lending, he opened his own mortgage company, **Kontopuls Financial Group.**

"I think people make the mistake of planning way too much and wanting to get everything perfect," he said. "I learned that you just need to jump in and do it, and that's always been my philosophy."

"I didn't know anything about being a mortgage broker, but I didn't (care)," he added. "I had my mortgage brokers license already and it just worked out great."

The company grew to 13 loan officers and is still in business, located floors above Elite in the same office building along Interstate 8 in Mission Valley. The Kontopuls Financial Group name is on the building.

Kontopuls has since opened a number of businesses including real estate management firm **Preferred Realty** and sports clothier **JK Sport**. Even Elite has a spin-off in **Elite Motor Sports**, an online retailer of snowmobile parts and accessories.

By far Kontopuls' most profitable business, and where he spends most of his time, is Elite

Show Services.

Created in 1995 at the urging of his brother Gus, a security guard at the time, Kontopuls opened Elite utilizing his business experience. The company seemed to fill a niche as a local event staffing company for purely local events.

Kontopuls' attention to detail and personal responsibility has propelled the company, according to clients.

"I have yet to encounter a situation where John didn't step back, no matter what the challenge was, essentially smile and give me, the client, the feeling that 'we'll get it done,'" said Richard Andersen, executive vice president and managing director of ballpark operations for the San Diego Padres.

"He always starts out with wanting us to feel that whatever we're asking, his plan is to exceed that," Andersen added.

The Padres recently agreed to a new two-year contract with Elite. Neither the baseball club nor Elite disclosed financial details.

It is critical to Elite's success, according to Kontopuls, that he builds a personal relationship not only with clients, but Elite employees, who have direct access to the client's customers.

Chargers games, for instance, require more than 1,000 Elite employees and Kontopuls attends every game, during which he visits as many employees as possible. He is a registered security guard with the state Bureau of Security and Investigative Services even though it's not legally required.

"If an employee in this organization thinks there's someone that is not living our values, I want to know about it," Kontopuls said.

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North County Times

February 25, 2004, Wednesday

KR-ACC-NO: ES-IMMIGRATION

LENGTH: 603 words

HEADLINE: Mexico's Economic Success Key to Lowering Immigration, Experts Say

BYLINE: By Erin Massey

BODY:

ESCONDIDO, Calif. -- To stem the tide of 1.2 million new immigrants -- 400,000 of them undocumented -- who come to the country each year, United States officials need to do a better job of enforcement and improving life in **Mexico**, two immigration experts said Tuesday night.

With 9 million of the 32 million immigrants coming from **Mexico**, the key to stemming the flow is to pump money into the Mexican government so people will want to stay home, the two experts said.

"Keeping **Mexico** poor is not to our advantage," said Joan Anderson, an economics and business professor from the University of San Diego. "Mexicans would prefer to live in **Mexico**."

About 100 people came to the Escondido Public Library Tuesday to hear how immigration affects the economy. It was the second in a series of immigration-based workshops organized by the North County Chapter of the San Diego World Affairs Council, an educational organization. The next workshop on the social effects of immigration is set for March 30, said Cal Watson, the council's president.

Two local economics professors told crowds Tuesday that 80 percent of Mexicans do not have a bank account. With an average income of \$ 4,000 per year in rural **Mexico**, many can't resist the allure of doubling their salary by heading north.

"You are not going to succeed in solving this by controlling supply," said Gordon Hanson, an economics professor at University of California, San Diego. "If the demand (of jobs) is there, supply will find a way."

He added that the demand of jobs has been allowed to grow, largely because employers have political clout and lobby to keep labor cheap.

"The U.S. never enforces illegal immigration in the workforce only because of the influence of U.S. employers," he said. "All discussions will be meaningless unless there is enforcement in the workforce."

The only enforcement is at the border, and even that is ineffective, Anderson said.

"There is 2,000 miles of border patrol (along the Mexican border), but only 70 miles are heavily guarded," she said. "It didn't slow the flow, it just moved it. Now, 40 percent cross the border (from **Mexico**) in Arizona."

But immigration is better here than in Europe, the two experts said. Two-thirds of immigrants living in Europe are illegal, and taking advantage of the better welfare system there, Anderson said, adding that cuts to welfare in the 1990s makes the United States less attractive. Only one-third of those living here are not legal residents, she said.

"The U.S. is pretty stingy," Anderson said. "They only pay for education and emergency health care. That precludes the ill from getting many of the benefits."

The immigrant population does take a toll on government programs, Hanson said. University studies have shown that the

second and third generations of immigrants progress to the point where they don't government programs and pay taxes to support them.

In answering written questions from the audience asking about solutions, Hanson pointed to past programs that President Bush is considering reinstating that bring Mexican workers in for yearlong jobs.

He said that having one member of the family legally work in the United States helps the rest of the family, "especially the children back home."

"The only way to improve the living situation is to invest in human capital," he said. "The studies have shown that poor families with people working in the United States keep their children in school longer."

To see more of the North County Times, or to subscribe to the newspaper, go to <http://www.nctimes.com>.

JOURNAL-CODE: ES

LOAD-DATE: February 26, 2004

Inflation rate in county at 3.7%; housing cited

By David Washburn, STAFF WRITER

San Diego County's inflation rate remained one of the highest in the nation in 2003, thanks largely to another record-setting year in the housing market and rising energy prices.

San Diego consumer prices rose by an average of 3.7 percent 2003, the Labor Department reported yesterday. That was second only to Boston, which saw prices increase by 3.8 percent.

It was the fifth year in a row that San Diego had one of the top three inflation rates nationwide.

And like the previous four years, housing was the main driver. Shelter costs locally went up 6.2 percent, the largest increase in the nation, according to the Labor Department.

In fact, if housing costs are taken out, San Diego's inflation rate drops to 2.2 percent, virtually the same as for the nation as a whole. Shelter accounts for 37

percent of San Diego's price index, one of the highest portions in the nation, according to the Labor Department.

The overall U.S. inflation rate last year was 2.3. In the Los Angeles metro area it was 2.6 percent, and in the San Francisco Bay Area it was 1.8 percent as housing prices were basically flat.

Economists showed little surprise at San Diego's rising prices, saying they are the product of an economy that has held up well compared with other regions of the country.

"It is a reflection of a stronger economy in a sense," said Kelly Cunningham, chief economist for the San Diego Regional Chamber of Commerce.

"There is high demand for things like housing and consumer goods because of a strong economy."

There is concern, however, that the high prices could hurt the economy if incomes don't rise.

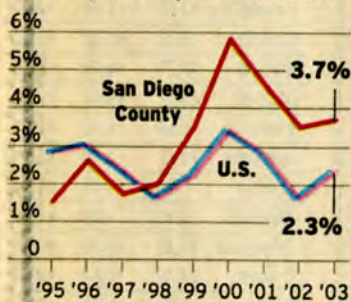
"Usually rising housing prices are a sign of good times," said Amar Mann, an economist with the Labor Department. "You run into a problem when incomes don't keep up and consumers are hurt."



Eduardo Contreras/Union-Tribune

Consumer price index

Average annual percentage change in the Consumer Price Index in San Diego County and the nation.



SOURCE: U.S. Dept. of Labor

BRIAN CRAGIN / Union-Tribune

Utility costs, another category that has hit San Diego hard in recent years, increased by 6.3 percent. But that was lower than the 7.6 percent increase nationwide.

Cunningham said the inflation in utility costs shows that the area is still suffering somewhat from the energy crisis of 2000 and 2001.

"[The state] signed contracts that were bad, and we are still paying for that," Cunningham said.

INFLATION

CONTINUED FROM PAGE C1

Rental market is softening, analysts say

However, the biggest jump was in the cost of natural gas, which increased by 25 percent. The increase mirrored natural gas price hikes nationwide.

San Diego inflation rates for food, clothing and transportation were close to the nationwide averages.

Food went up 2.8 percent in San Diego compared with 2.1 percent nationwide. Both Mann and Cunningham said the grocery strike may have boosted San Diego prices. The "food at home" category jumped by 5

percent in the second half of 2003 compared with the same period in 2002.

Transportation costs, which include gas, went up 3.1 percent. Clothing costs fell 3.1 percent.

San Diego prices in the second half of 2003 were 1.4 percent higher than in the first half of the year, a reading that led Cunningham and others to predict that inflation will be lighter in 2004.

There are signs, they say, that the rental market is softening, and home prices, while still going up, aren't increasing like they did last year.

"I anticipate moderate job growth that won't be enough to put severe pressure on the housing market," said Alan Gin, an economist with the Uni-

versity of San Diego.

"Things will be better inflation-wise in 2004 than they were in 2003."

National numbers released yesterday seem to support Gin's prediction.

The CPI rose by 0.5 percent in January nationwide, more than double December's 0.2 percent increase, the Labor Department reported. However, much of the January jump was blamed on sharply higher energy prices due to cold weather and tight supplies.

If energy and food prices, which tend to swing widely from month to month, are excluded, prices increased by a mild 0.2 percent.

The jump in energy prices in January accounted for more than three-fourths of the overall increase in consumer prices for

the month, the Labor Department said.

Gasoline prices jumped last month by 8.1 percent, natural gas prices were up 3.8 percent and fuel-oil costs rose 7.2 percent.

Clothing prices dropped by 0.3 percent, new-car prices dipped by 0.1 percent, and prices for telephone services and for lodging each declined by 0.2 percent in January.

For the 12 months ended in January, overall consumer prices were up 1.9 percent. The so-called core rate, excluding energy and food, went up by 1.1 percent, continuing the slowest pace in more than four decades.

David Washburn: (619) 542-4582; david.washburn@uniontrib.com


BUSINESS

› BY LARRY M. EDWARDS

2004

Economic Outlook

Our economic climate is improving but remains partly cloudy. The sunny days of yore may still be a year away.



"San Diego has maintained positive economic growth at a time when the rest of California has actually been in recession and losing jobs."

THE ECONOMIC OUTLOOK for San Diego is a bit like the weather these days—improving, but still a ways to go before things start heating up again. Prospects for the local economy are not as bleak as they were a couple of seasons ago, when the recession was in full swing. But employment remains cloudy, and the 2004 gross regional product, while moving forward, will fall short of the growth experienced during the heydays of the late 1990s.

It could be worse. Like our climate, San Diego's economy will continue to be one of the warmer spots nationally as well as in California, says Kelly Cunningham, director of the Economic Research Bureau at the San Diego Regional Chamber of Commerce. "San Diego has maintained positive economic growth at a time when the rest of California has actually been in recession and losing jobs," he says.

Still, it's not a lot to cheer about, he and other economic forecasters contend, predicting that significant economic growth and employment gains aren't likely to occur until 2005.

"I'm worried about the national economy," says Alan Gin, economics professor at the University of San Diego.

"Even though the news lately has been relatively good, I don't think we're out of the woods yet as far as the national economy is concerned, and that will have a dampening effect on us."

Analysts with the UCLA Anderson Forecast predicted in December that California will create about 134,000 jobs this year, about half what would be expected in a typical year. And that is unlikely to do more than counterbalance the jobs lost, having little, if any, impact on the state's unemployment rate.

We're not seeing the rapid recovery we did a decade ago, the UCLA economists say, because consumer spending is not likely to increase appreciably in the next 12 months. And it's consumer spending that lifts the economy. The problem, according to the economists, is that consumer spending never really slowed. People merely took advantage of low interest rates to refinance mortgages and run up credit card debt.

USD's Gin concurs. "A lot of consumers are already stretched to the breaking point in the sense that even when we had the recession, they borrowed money to tide them-

selves over. Some of that needs to be worked down."

San Diego has been one of the strongest counties in the state in terms of employment—only Orange County reported fewer people looking for work since the second half of 2002—and that's likely to continue in 2004, say Cunningham and Gin. In November, San Diego's unemployment rate was 4 percent, down from 4.3 percent in October and well below the nation and state's respective 5.9 percent and 6.4 percent.

Last year, San Diego had a net gain of about 3,000 jobs, and forecasters say there could be a net gain of 10,000 to 15,000 jobs this year. But that's barely a third of the 45,000 jobs they would expect in good years.

THE BIOSCIENCE INDUSTRY now provides the most jobs locally, claiming more than one in five, with defense/aerospace a close second but well below the dominant position it held a decade ago. The greatest gains in employment are being made in leisure and hospitality, but these jobs tend to be on the lower end of the pay scale. Job gains are also noted in telecommunications as well as professional, scientific and technical services. Construction hiring has been strong, and that's likely to continue in the wake of the devastating October and November wildfires, as homes and businesses are rebuilt.

The greatest job losses, reflecting a nationwide trend, are in the traditionally higher-paying manufacturing jobs, which has a net drain on the economy. Semiconductor and electronics fabrication jobs have been particularly hard hit as work has moved to Mexico and China.

"This has a ripple effect," Cunningham says. "For every manufacturing job lost, you can count on a couple of other jobs that depend on that job being lost as well."

Even so, the manufacturing sector, which includes electronics, computers, aerospace and shipbuilding, continues to be San Diego's most powerful economic engine, contributing \$25 billion to the area's gross regional

product. The defense sector, at \$13.7 billion, is the second-largest economic sector, incorporating defense contracting and the region's military payroll—\$4.3 billion in 2002, the largest in the nation. Although it is well short of what it was a decade ago, this sector will continue to grow as the federal government pumps more money into homeland security initiatives and maintains a military presence in Iraq and Afghanistan.

At \$5.2 billion, the tourism and convention business is the region's third-largest industry, but it is not anticipating a banner year, despite a strong start. The San Diego Convention Center generated \$363.8 million in economic impact during the first quarter of fiscal year 2004, the best first quarter in the center's 14-year history. But bookings are off for the coming year, and hoteliers are worried because conventions and business meetings are their bread and butter. Business travel dropped sharply following the 9/11 terrorist attacks and, with the double whammy of recession, has yet to fully recover.

Threatening to overtake the visitor industry is the high technology/bioscience area, at \$5 billion in annual economic impact. This sector is experiencing the most growth and offers some of the highest-paying jobs.

Overall, San Diego's gross regional product is expected to increase to an inflation-adjusted \$138 billion in 2004, up about 6 percent from \$130 billion in 2003, according to the chamber's Economic Research Bureau. This is almost double the gross regional product's 2 percent growth in 2001—the slowest period of growth in the past decade—but less than half the growth experienced in the boom years of 1998 and 1999, when growth exceeded 8 percent.

The coming year won't be super, but it will be better than last, Cunningham says. "Now that it looks like the national economy is picking up, I have no reason to believe San Diego won't continue to be at the forefront of economic activity." ■

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Monday, February 16, 2004

Caren Sax's Career Ramp

By Jen Winfrey

The transition from adolescence to adulthood can be full of excitement, fear and uncertainty-- leaving behind a world you understand for the new and unknown. Deciding what to do with your life--work, college or both, whether to move out, travel abroad or spend a last summer with old friends.



Caren Sax

Now imagine being confronted with these decisions as a person with a disability. Transitions can become even more stressful. The challenges of adapting to new situations and places are compounded by the difficulties of adapting new physical surroundings to meet your needs.

Caren L. Sax, associate professor in the Department of Administration, Rehabilitation, and Postsecondary Education (ARPE) at the Interwork Institute, has dedicated her career to helping make that transition easier through research, education and the application of assistive technologies.

Sax earned a BS from Northern Illinois University in special education and elementary education before moving on to earn her master's in education with an emphasis on special education for people with significant disabilities at the University of Arizona.

She taught in Arizona's public school system for over a decade, learning about influencing systems to become more responsive and beneficial to students with disabilities. It was there she really developed her career and research interests. Seeing her students struggle to make the transition from school to work inspired Sax to learn more about what assistive technologies and environment changes were available to them. She recruited a shop teacher to help design and produce adaptive equipment for her students--technologies that they could take with them to the work place.

"My work centers on vocational development and outcomes, and job development through assistive technologies," says Sax. "There weren't a lot of technologies available, and most of them were homemade gadgets. Assistive technologies can be as simple as a ramp and telephone headsets, or as complicated as voice-activated computers, special keyboards and headtrackers--devices that allow people to operate computers through head movement. It's best for students to figure out the technologies early on so that they can take the technologies with them as they exit the school system and move on to employment, continuing education, and life as an adult."

Sax had the opportunity to expand her experience in working with systems when she came to SDSU in 1990 to work with Ian Pumpian. She coordinated an assistive technology project and was able to expand into new projects the following year with the establishment of SDSU's Interwork Institute, an umbrella organization housing diverse rehabilitation and education efforts administered through the College of Education and the SDSU Foundation.

In 1996, Sax returned to school to earn a doctorate in education leadership from the University of San Diego. Since then, she has directed federal and state funded grant projects in the following areas: expanding assistive technology applications; new approaches to continuing education opportunities for

community rehabilitation personnel; and systems change efforts that have improved school-to-work transition services for students with disabilities.

"Much of our funding over the last five years has targeted working with the systems-- school districts, state rehabilitation offices and community rehab programs," says Sax. "My biggest role is to work with other professionals to facilitate better communication between systems, to identify that we all have common goals."

"Through effective dialogue, we've been able to make significant changes—not just in San Diego but all across California, the United States and even internationally," says Sax. Several states have received funding to implement this interagency approach, and Sax has consulted internationally to facilitate collaboration across systems while being sensitive to cultural nuances.

Sax considers herself fortunate to have "landed at Interwork where all the faculty and staff are passionate about their work. Fred McFarlane and the other ARPE faculty have provided me with the mentorship and support that have enabled me to pursue my passions. We're all involved in working across multiple projects that have complimentary goals, primarily based on building relationships, open communication, and creating community in the larger sense. These relationships often produce innovation." This innovation has led to the development of a building addition embracing the principles of universal design.

As an SDSU professor, Sax designed the transdisciplinary Applications of Rehabilitation Technology course and collaborated with Andrew Szeto (College of Engineering) to create a graduate level Certificate of Rehabilitation Technology. Students in this program modify or design adaptations to enable people with disabilities to work, go to school and participate in recreational activities. Sax noted that last year, student engineering teams adapted a sail boat for a crew consisting mostly of persons with disabilities. The crew sailed the boat in a race to Hawaii.

Sax also helped to develop a "career ramp—which is more accessible than a career ladder," she laughed. Sax uses this ramp for marketing and recruitment, particularly to community rehabilitation personnel. Offering opportunities for lifelong learning is consistent with ARPE's and Interwork's mission and helps to demonstrate an accessible path for a rewarding career in the rehabilitation field.



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Institute for Peace & Justice

Big Giving Makes a Comeback

By Nicole Lewis and Matt Murray

BIG DONATIONS to charity rose along with the nation's economy and stock market last year, as many of the largest donors increased their foundation endowments or supported big projects at universities, arts groups, and the Salvation Army, according to a *Chronicle* survey.

The newspaper's fourth annual survey of America's most generous donors shows that gifts and pledges by the 60 largest contributors in 2003 totaled \$5.9-billion, compared with \$4.6-billion in 2002. The median giving total, including pledges, was \$32.5-million in 2003, meaning that half gave more and half gave less. The median total rose \$7.5-million, from \$25-million in 2002.

Pledges declined from the previous year's total, however, to \$959.6-million, less than half the \$2.1-billion pledged in 2002. Bequests rose 50 percent from 2002 to 2003, to \$2.7-billion, accounting for 46 percent of all gifts last year. In 2002, gifts from estates totaled \$1.8-billion and represented 39 percent of all gifts.

Joan B. Kroc

\$1.91-billion: 10 organizations

Mrs. Kroc, who died on October 12, 2003, at age 75, left \$1.91-billion to 10 organizations. She was the widow of Ray A. Kroc, the founder of the McDonald's Corporation. Her gifts were: \$1.5-billion to the Salvation Army, in Alexandria, Va., to construct and endow up to 50 recreational and educational facilities across the United States; \$200-million to National Public Radio to support the network's operating reserves and endowment; \$60-million to Ronald McDonald House Charities to be distributed to its programs worldwide; \$50-million to the University of Notre Dame to support the Joan B. Kroc Institute for International Peace Studies; \$50-million to the University of San Diego to establish the Joan B. Kroc School of Peace Studies at the Joan B. Kroc Institute for Peace & Justice; \$20-million to San Diego Hospice and Palliative Care to support its programs and services; \$10-million to the San Diego Opera to support artistic programming; \$5-million to KPBS radio and television, in San Diego, to establish an endowment and operating reserve and create a capital-equipment fund; \$5-million to the Roman Catholic Archdiocese of San Diego to build a high school; and \$500,000 to Mama's Kitchen, a meal-delivery service in San Diego for people with AIDS. Before her death in October, Mrs. Kroc gave \$5-million to the University of San Diego to endow a lecture series at the Joan B. Kroc Institute for Peace & Justice.

America's Biggest Donors, 2003

Donors	Source of wealth	Total donated or pledged	Total paid	Recipients (payments)
Joan B. Kroc	Inheritance	\$1.91-billion (bequest) ¹	\$1.91-billion	Salvation Army (Alexandria, Va.); National Public Radio (Washington); Ronald McDonald House Charities (Oak Brook, Ill.); University of Notre Dame (South Bend, Ind.) University of San Diego; San Diego Hospice & Palliative Care; San Diego Opera; KPBS Radio and Television (San Diego); Roman Catholic Archdiocese of San Diego; Mama's Kitchen (San Diego)
Michael S. and Susan Dell	Technology	\$673.7-million	\$673.7-million	Michael and Susan Dell Foundation (Austin, Tex.)
Eli and Edythe L. Broad	Finance, real estate	\$409-million	\$409-million	Eli and Edythe L. Broad Foundation (Los Angeles), Broad Foundation (Los Angeles), Broad Art Foundation (Santa Monica, Calif.)

NEW YORK SUN

NEW YORK, NY
TUESDAY 60,000
FEB 17 2004



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***The 60 Largest
American Charitable
Contributions
of the Year*** 1154

Compiled by
the Chronicle of Philanthropy
for Slate

1

Donor: Joan B. Kroc
Source of Wealth: *Inheritance*
Total Donated or Pledged: \$1.91B
(bequest)
Total Paid: \$1.91B
Recipients (Payments): *Salvation
Army; National Public Radio; Ronald
McDonald House Charities; Univ. of
Notre Dame; Univ. of San Diego; San
Diego Hospice and Palliative Care; San
Diego Opera; KPBS Radio and Televi-
sion; Roman Catholic Archdiocese of
San Diego; Mama's Kitchen*

JUNEAU EMPIRE

JUNEAU, AK
FRIDAY 7,700
JAN 30 2004



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CADILLAC NEWS

CADILLAC, MI
SATURDAY 11,000
JAN 31 2004

TAMPA TRIBUNE AND TIMES

TAMPA, FL
SUNDAY 313,693
FEB 1 2004

Generosity, super-sized.

⁴¹⁵⁴
This editorial appeared in
Thursday's Los Angeles Times:

So here we are reading the newspaper to educate ourselves, to cheer our favorite politician, boo the other guys and postpone desk duty with holiday bills and income tax directions resembling English. You know the monthly routine, divvy the pay among the obligations - the mortgage, electricity, exterminator, priceless Visa card, the math tutor, auto and house insurance, plus repairs on the car, the roof, your teeth, and maybe, if there's money left, some food. Somehow the sum of monthly obligations always exceeds the paycheck. Can we blame that too on El Nino or the federal government?

And over there, according to a front-page Times story the other day, are the desk-bound executors of Joan B. Kroc's estate doling out a few million here, a few there and many millions over there. Mrs. Kroc, widow of Ray, founder of the McDonald's hamburger chain, died of brain cancer last October.

Since then, it's now been revealed, the daughter of a Minneapolis railroad worker has super-sized the notion of philanthropy to become one of the nation's all-time donors. She gave \$1 million to San Diego's Children's Hospital, \$5 million for a new Chula Vista school, \$10 million to San Diego's Opera, \$20 million to the San Diego Hospice, \$50 million to a peace institute at the University of San Diego, \$50 million for additional peace at the University of Notre Dame, which wasn't at war, and \$200 million to National Public Radio. Anything to end those on-air fundraisers every other

week.

Now word that Mrs. Kroc has given \$1.5 billion to the Salvation Army for 30 massive community centers across the country. That's one-and-a-half-billion dollars, as in billions of burgers sold. That's more money even than annoying lottery winners get in those poster-sized checks. Were we really paying that much more than those cheap McD burgers actually cost?

One-thousand-five-hundred-million dollars. Checkbooks can't hold that many zeroes. It's hard to picture 1.5 billion anythings, let alone imagine it as money. And then giving it away. Enough to buy a mountain range of Happy Meals, hold the cynicism. One-point-five billion is one dollar for every human in China plus about seven Canadas and one Chicago. Laid end to end, 1.5 billion dollar bills would wrap around the Earth five times, with 17,000 miles of money left over. Except some bills might be gone by the time you came back around the equator.

There's nothing Mc about that Jupiter-sized generosity. Mrs. Kroc and her savvy husband may also be remembered as the Salvation Army's salvation, the 21st century Andrew and Andrea Carnegies of community centers. Ray Kroc began as a salesman in California. of milkshake makers. His arching vision created a national fast-food industry. Now, in death, the kindly Krocs have reconfigured the scale of charitable giving. Thank you for coming. Next in line, please?

As population ages, charities' funding evolves

Newhouse News Service

When the philanthropist who inherited the McDonald's fast-food fortune left the Salvation Army \$1.5 billion in her will, it was a small part of a massive transfer of wealth that will provide charities an estimated \$6 trillion over the next half-century.

As the World War II generation passes away and the baby boomers begin to die, nonprofits are strategizing to be remembered in carefully planned estates.

"I don't think there's anyone in the nonprofit sector who isn't very much aware that the largest wealth transfer in the history of the world is about to take place," said Marshall Burke, vice president of private support for CARE, the Atlanta-based international poverty fighter.

Forward-looking charities like CARE and the Salvation Army have been positioning themselves for decades to reap dividends when old friends depart. Joan Kroc's gift was the largest one-time charitable donation in history.

"I couldn't speak," said George Hood, the Salvation Army's national spokesman, in describing the moment he heard the dona-



Associated Press

Joan Kroc receives the Order of Distinguished Auxiliary Service from Salvation Army General John Gowans in Rolando, Calif., in 2002 at a ceremony to open the new Ray & Joan Kroc Corps Community Center. Kroc, who died Oct. 12, 2003, left the Salvation Army \$1.5 billion — the lion's share of her fortune.

tion's size. "I said, 'Excuse me, did you say billion?' It was pretty stunning."

Yet not entirely surprising. While the Salvation Army is best known for collecting nickels and dimes in red buckets at Christmas, it foresaw the millions it might raise through wills. Any

donor, not just wealthy ones, can contact the Salvation Army and ask for help in planning an estate.

Other charities offer similar services. CARE, for example, has sample language for wills on its Web site. It also has financial planners eager to show wealthy

donors how they can reduce their estate taxes with a gift to CARE. In the fiscal year ending last June, CARE received \$40 million in bequests, including one gift of more than \$28 million.

"Any charity with a fund-raising staff of more than one person is probably doing this," said Michael Nilson, a spokesman for the Association of Fund-raising Professionals.

The Salvation Army employs a battalion of estate experts to tap into wills. In the charity's western territory alone, 25 representatives travel 13 states, meeting with potential and established donors.

Salvation Army officials say they apply no pressure to give, they're just there to help.

"For more than 20 years, we've been writing wills and estates and legacies," said Hood. "We saw that a long time ago as a source of the cash security we would need. We've done that as well as anybody."

Kroc, widow of McDonald's founder Ray Kroc and former owner of the San Diego Padres, did not meet with Salvation Army estate planners. But the evangelical Christian charity — described by management guru Peter Drucker as "the most effective organization in the United States" — gave her

HOUSTON CHRONICLE
HOUSTON, TX
MONDAY 548.508
FEB 9 2004

'I don't think there's anyone in the nonprofit sector who isn't very much aware that the largest wealth transfer in the history of the world is about to take place.'

**Marshall Burke,
CARE vice president
of private support**

something better than advice: a cause she wholeheartedly trusted.

In the mid-1990s, Kroc presented the Salvation Army an ambitious idea: the creation of a community center extraordinary in San Diego, which she would partially fund with a gift of more than \$80 million.

The center, opened in 2002, includes three swimming pools, a hockey arena, a 600-seat theater and a skateboard park. Before Kroc died of brain cancer on Oct. 12 at age 75, she loved to drop by the center, unannounced, to watch people enjoying her investment.

Her will left most of her \$2 billion fortune to build and partially

operate as many as 30 similar centers across the country.

"She has set the standard for the rich and famous," said Tim Foley, co-administrator of the San Diego center.

"She used to quote her husband as saying, 'I've never seen a Brinks truck following a hearse. You can't take it with you.'"

Other charities included in Kroc's will were National Public Radio (\$200 million), peace institutes at Notre Dame University and the University of San Diego (\$50 million each) and the San Diego Hospice (\$20 million).

According to a 1999 analysis by the Social Welfare Research Institute at Boston College, the estimated sum of all American inheritances to be distributed before 2052 is \$41 trillion. Of that, \$6 trillion is projected to go to charities.

"That (Boston College) report created a high level of energy in the nonprofit community to make the prediction a reality," said H. King McGlaughon Jr., who holds a chair in philanthropy at American College in Bryn Mawr, Pa.

"A whole industry has grown up to help nonprofit organizations tap into the wealth that will eventually change hands when people die."

EVENING SUN

HANOVER, PA
SUNDAY 21, 197
FEB 8 2004

WALLA WALLA
UNION-BULLETIN

WALLA WALLA, WA
SUNDAY 16, 006
FEB 8 2004

SUNDAY DENVER POST &
ROCKY MOUNTAIN NEWS

DENVER, CO
SUNDAY 790,508
FEB 8 2004

SUNSTYLE

Joan of Arches

Benefactress Joan B. Kroc shunned fame as she transformed lives

By HELEN O'NEILL
AP Special Correspondent

Often, no one knew where the money had come from. Only later, did recipients discover they had joined a long list whose lives were transformed by an unlikely angel, a chain-smoking heiress with elegant clothes and fabulous jewels and passionate opinions about war and peace.

That is how Joan B. Kroc is remembered — a remarkable spirit who swept into lives, often anonymously, using her fortune to spread good in the world.

Entrusted with a fortune after her husband, McDonald's founder Ray Kroc, died in 1984, she forged a legacy as one of the nation's great philanthropists.

And one of the most private.

She shunned publicity, rarely gave interviews and only occasionally permitted her name to be used for projects she sponsored. Three months after



JOAN KROC

her death from brain cancer, the world is still discovering the magnitude of her generosity.

In January, the Salvation Army announced it had received \$1.5 billion from Kroc's estate, the largest donation in its history. At first, organization officials were so overwhelmed that they had to seek legal advice about whether they were equipped to handle such a sum — a notion that makes one of Kroc's dearest friends, Thelma Halbert, hoot.

"She would have gotten such a laugh out of that," Halbert said. "She loved to surprise people with her money. It wasn't about fame or glory, or even a sense of mission. It came from the heart. It was just who she was."

Kroc's life reads like a Cinderella story: pretty Midwest music teacher, daughter of a railroad worker, who married a hamburger millionaire and spent the 20 years after his death donating his millions to causes — often in direct contrast to some of the conservative ones he had championed.

"Angel of Grand Forks" she was dubbed in 1997 when she secretly swooped into North Dakota in her private jet and gave \$15 million to flood victims in Grand Forks and East Grand Forks — \$2,000 to every stricken family. Typically, she requested that officials use the minimum of red tape and not reveal her name, although it eventually leaked out.

Her friend, former San Diego Mayor Maureen O'Connor, referred to Kroc as "St. Joan of Arches."

She threw her heart into all sorts of causes, big and small, from the sprawling, \$87 million, world-class recreation center she built for underprivileged children in a once-dilapidated part of San Diego, to the three-legged stray dog, named Bergy, that she adopted and took back to her Rancho Santa Fe mansion where he settled with her King Charles spaniels.

"The things I believe in, I'll spend money on," she once said. And that was about all she ever said about her money. She never talked about it, and she never gave to those who solicited.

Her causes were wide-ranging — from world peace, to fighting famine in Africa, to needs close to home.

When she heard a radio piece about the St. Vincent de Paul homeless center in San Diego, she drove directly over and handed its president Joe Carroll, a priest, a check for \$800,000.

When she read a newspaper item about a Tennessee child with AIDS who would lose his private teacher because of budget cuts, she sent \$235,000 to the school district to balance its budget.

When she heard about the shoddy living conditions of tigers at the San Diego Zoo, she gave the zoo \$3.3 million.

She set up peace centers at the University of San Diego and the University of Notre Dame, and left each \$50 million in her will.

And there were more personal, poignant involvements.

Three years ago, when a dying patient wrote to thank her for the magnificent hospice she had built on a Mission Valley bluff top, Kroc called the patient's wife and invited her to lunch.

"Here was this funny, lively, impeccably dressed woman who just came into my life at the most awful time and took an interest in me," said Stephanie Bergsma, associate general manager of San Diego's KPBS radio station. "And she just totally changed it."

Bergsma had known Kroc as the gracious benefactor she met

PITTSBURGH POST-GAZETTE
PITTSBURGH, PA
SUNDAY 409,217
FEB 8 2004

SAN RAMON VALLEY HERALD
DANVILLE, CA
SUNDAY 42,441
FEB 8 2004

SUNDAY LEADER
CORNING, NY
SUNDAY 12,865
FEB 8 2004

occasionally at public-radio fundraisers. After her husband's death the two women became friends, and Bergsma got to see a different side of Kroc – the news junkie who devoured books on current affairs, who loved watching her great-grandchildren chase her spaniels around the house as she listened to cable news or NPR, who enjoyed a good rant with friends about politics, and who never lost her Midwest accent – or what she considered her Midwest values.

The friendship led to other connections, notably to a meeting with NPR President Kevin Klose. That led to discussions about NPR's mission, to a 2002 Christmas donation of \$500,000 – and, recently, to an astounding bequest of more than \$200 million, more than double the network's annual budget.

"She just wanted to make a difference in the biggest possible way," Bergsma said.

Yet for all her wealth and generosity, outside San Diego where her name is revered, little is known about Joan Kroc.

The older of two daughters, Joan Beverly Mansfield was born in St. Paul in 1928. Her father was a railroad telegrapher and her mother a violinist. Raised during the Depression, she started teaching music at age 15.

In his 1977 autobiography, "Grinding it Out," Ray Kroc

described the couple's first meeting, at the Clarion restaurant in St. Paul in 1957 where Joan was playing the organ and he was working on a deal. He was a 53-year-old salesman who had just founded McDonald's after buying a small hamburger restaurant two years earlier. She was 28. Both were married.

"I was stunned by her blonde beauty," he wrote. Twelve years later, after she divorced once and he twice, they married.

For most of their marriage, Joan Kroc remained in her husband's shadow. But she clearly enjoyed the trappings of wealth – the fabulous home on the hill, the yacht, the private helicopter, even the baseball team, the San Diego Padres, which she inherited when Ray Kroc died.

At the time, she knew little about baseball. Kroc wrote that when he first told his wife he was buying the Padres – they lived in Chicago at the time – she thought it was a monastery.

But she threw herself into her team, earning her players' respect and love. Among other things she established what was believed to be the first employee assistance program in major league baseball for team members with substance-abuse problems.

When the team clinched the National League pennant, star relief pitcher Goose Gossage celebrated by tossing Kroc – with her perfectly coiffed hair and

immaculate suit – into a swimming pool. She loved it. When she sold the team in 1990, it was only after backing out of a proposed earlier sale because she felt the prospective buyer wasn't worthy.

"Joan had to feel comfortable with the people in any deal," said Dick Starmann, a self-described "old hamburger guy" who became her close confidant after Ray Kroc, his boss, died. "If there wasn't good chemistry, it didn't matter how worthy the cause, she could be really tough about walking away."

Joan Kroc's first involvement in the kind of community giving that became her hallmark came the summer after her husband's death, when a gunman killed 21 people in a McDonald's in San Ysidro, Calif., in July 1984. She immediately flew to San Ysidro and established a \$100,000 fund for the victims' families.

The same year, she discovered the peace movement.

Encouraged by her daughter from her first marriage, Kroc attended a nuclear disarmament conference in Washington. Within eight months she had spent more than \$1 million on anti-nuclear ads in more than 100 newspapers, and another \$1 million to distribute copies of the book "Missile Envy" by disarmament activist Helen Caldicott.

She said her activism grew out

of a growing concern about the arms race, and a conviction that a nuclear holocaust might occur before her grandchildren grew up.

"They're talking in Washington about apocalypse and Armageddon and evil empires," Kroc told The Los Angeles Times in 1985. "I just think it's time to quit this b.s."

Her views – and the fact she used her inheritance to promote them – horrified some political friends of her husband, who had been a major contributor to Republican candidates and causes and a supporter of the Vietnam war. They also earned her the wrath of conservative commentators.

"The Pentagon doesn't make McNuggets and Joan Kroc ought not to be trying to make policy on nuclear weapons," wrote Cal Thomas, the syndicated columnist.

But critics didn't bother Kroc, who jokingly suggested that when it came to politics, "Ray and I kind of balanced each other out."

Inaction was what bothered her – particularly political inaction.

"Silent means consent..." she said. "We must not be silent."

In 1987, she gave the Democratic party \$1 million, saying she was concerned about the buildup of weapons and about "losing sight of our goals as a nation."

She never gave that much to

politics again.

In fact, friends said, she was dismayed at what she considered the timid response of Democrats in opposition to the war in Iraq. According to her friend, Joyce Neu, she even phoned some top Democrats to give them a piece of her mind.

"She had the access, so she used it," said Neu, executive director of the Joan B. Kroc Institute for Peace & Justice at the University of San Diego. "She thought they ought to be stronger, and she had no qualms about telling them."

Kroc was as private about her death as she was about her life: She requested no funeral or memorial service. And she told only a handful of people about her illness, though in her last year, it was clear her health was failing.

A few weeks before her death Kroc was wheeled into the 12-acre Salvation Army community center in San Diego – one of the few projects that bears her name.

Kroc said that Ray, who once rang a Christmas bell for the Salvation Army, would have been so proud. It was because she thought the center was so well run that she gave much of her remaining fortune to the organization – to open similar centers around the country.

When it opened in 2002, friends urged her to explain the reasons for her donation.

Her response was vintage Kroc.

"Ray was once asked why he gave so much of his wealth away," Kroc said. "He said: 'I've never seen a Brinks truck following a hearse. Have you?'"

"I loved that!" she said.

SUNDAY PRESS-TELEGRAM

LONG BEACH, CA
SUNDAY 108,625
FEB 8 2004

BAKERSFIELD CALIFORNIAN

BAKERSFIELD, CA
SUNDAY 80,649
FEB 8 2004

DAILY REVIEW

HAYWARD, CA
SUNDAY 39,418
FEB 8 2004

ALBUQUERQUE JOURNAL

ALBUQUERQUE, NM
FRIDAY 111,665
FEB 13 2004

HERALD

SHARON, PA
SUNDAY 24,500
FEB 15 2004

TRI-VALLEY HERALD (LIVERMORE DUBLIN PLEASANTON)

PLEASANTON, CA
SUNDAY 43,587
FEB 8 2004

RAPID CITY JOURNAL

RAPID CITY, SD
MONDAY 20,478
FEB 9 2004

BUFFALO NEWS

BUFFALO, NY
MONDAY 218,385
FEB 16 2004

HOLLAND SENTINEL

HOLLAND, MI
SUNDAY 20,423
FEB 8 2004

FLINT JOURNAL

FLINT, MI
SUNDAY 103,940
FEB 8 2004

HOUSTON CHRONICLE

HOUSTON, TX
SUNDAY 739,389
FEB 8 2004

FRESNO BEE

FRESNO, CA
SUNDAY 195,389
FEB 8 2004

CONNECTICUT POST

BRIDGEPORT, CT
FRIDAY 78,374
FEB 6 2004

**SUNDAY TIMES (CENTRAL
CONTRA COSTA)**

WALNUT CREEK, CA
SUNDAY 195,217
FEB 1 2004

**SUNDAY TIMES (VALLEY
EDIT.)**

PLEASANTON, CA
SUNDAY 45,139
FEB 1 2004

ANCHORAGE DAILY NEWS

ANCHORAGE, AK
SUNDAY 85,096
FEB 1 2004

**SUNDAY TIMES (WEST
CONTRA COSTA)**

RICHMOND, CA
SUNDAY 33,029
FEB 1 2004

Joan Kroc found way to put wealth to good use

■ \$1.5 billion charitable
donation to build centers in
poorest areas is one of
nation's largest in history

4154 504
By Tony Perry

LOS ANGELES TIMES

SAN DIEGO — Long before her death, Joan Kroc had begun building her legacy.

Five years ago, her representatives approached the Salvation Army with an idea for erecting a community center in a rundown neighborhood here. Officials from the group penciled out several rough budgets.

Kroc, who died in October at age 75, rejected them all.

"Think big," she exhorted, "bigger than you've ever thought before."

Two weeks ago, the world discovered just how big Kroc had been thinking. Her estate announced a bequest of more than \$1.5 billion to the Salvation Army — one of the largest charitable gifts in the nation's history — to build 25 to 30 community centers across the United States to transform blighted neighborhoods.

The huge gift grew out of a long process in which Kroc tested the army, seeing whether the 140-year-old organization could expand its vision to match hers.

"She wanted to ensure that we could address the needs of the whole person, way beyond Christmas kettles and thrift stores," said Maj. Cyndy Foley, now the co-administrator of the Ray and Joan Kroc Corps Community Center in San Diego's Rolando neighborhood.

What had attracted Kroc to the Salvation Army, friends and close associates say, was its sturdy reputation as a cost-effective organization with a soft spot for needy kids, a nationwide reach and low overhead.

The group had been a favorite of her late husband, Ray Kroc, the billionaire magnate of McDonald's, who had donated freely and posed as a bell-ringer next to the ubiquitous red kettles during Christmas fund-raising drives. The charity would be a good steward of her money, she believed.

But officials of the somewhat dowdy organization, whose public image seems stuck in the Major Barbara era, were slow to let their imaginations loose. It wasn't easy to prod an institution used to gathering donations from spare change to conceive of a willing benefactor with a fortune of staggering size.

In the 19th and 20th centuries, many of the great philanthropic gifts grew out of vast industrial enterprises: Rockefeller and oil, Ford and automobiles, Andrew Carnegie, who built the U.S. steel industry and dreamed of putting a public library in every town in America.

Kroc's fortune stemmed from the service economy — billions of dollars in sales of fast food. Her goal was using that wealth to create places for children to flourish and to build communities out of fractured neighborhoods.

Salvation Army officials did not know it when Kroc first approached them — nobody outside her tight circle of confidants

did — but the Rolando center was only the beginning, the prototype.

"I remember her saying, 'San Diego is the pilot project. If it works here, Maureen, we are going to do it everywhere,'" said former Mayor Maureen O'Connor.

The idea began with a drive through one of the city's poorer neighborhoods. O'Connor wanted her wealthy friend to see how the rest of the country lived. Their guide and driver was Police Sgt. Mike O'Neill, a veteran beat cop.

"I won't say Mrs. Kroc was isolated, but she really didn't know much about places where people have garage sales on their lawns every day and kids don't have places to go," he said.

Cruising in O'Neill's Ford Aerostar, the trio stopped to talk to people on street corners. Kroc learned that the kinds of opportunities taken for granted in

affluent neighborhoods were sparse or sometimes nonexistent elsewhere.

"I remember her saying, 'I've got to do something about this,'" O'Neill recalled. "I couldn't tell what she was going to do. But I could tell from the tone of her voice it was going to be big."

Joan and Ray Kroc had married in 1969 after her divorce from her first husband, a McDonald's franchisee. Ray, a hard-driving, cantankerous entrepreneur, had met her in 1957 while she was playing the piano in a nightclub; he was immediately smitten with her friendly, fun-loving manner.

When he died in 1984 at the age of 82, his widow was thrust into the spotlight, inheriting his baseball team — the San Diego Padres. She tired of the bickering of professional sports and sold the team in 1990, but she never abandoned her husband's belief in philanthropy.

He had formalized his giving with a foundation. She preferred a personal touch, guided by an informal protocol.

"You never asked; you just waited until it was your time," said Blair T. Blum, vice president of the San Diego Hospice. "She never forgot anything you told her." Kroc donated \$18.5 million to build the hospice, and her estate provided \$20 million more after her death.

Kroc knew how to use the influence of her money. In the mid-1980s, the Roman Catholic Diocese of San Diego and Msgr. Joseph Carroll, an independent-minded priest, were engaged in a power struggle over his plans to expand the downtown center for the homeless that he directed. Kroc wrote a check for \$3 million but stipulated that only Carroll could make decisions on how it could be spent.

"Joan knew how to get things done," Carroll said.

Last spring the Salvation Army wouldn't let the San Diego Gay Men's Chorus use its 600-seat theater for a concert. Salvation Army officials objected to the chorus' plans to have several performers in drag.

Hearing of the rebuff, Kroc quietly donated a Bosendorfer

grand piano worth \$105,000 to the chorus, one of several contributions to gay organizations and causes. She also called Maj. Foley about the issue, and friends say Kroc told her that the Salvation Army needed to be more accepting of homosexuals.

Foley said that she explained to Kroc that the organization did not feel drag was appropriate for a family-oriented facility and that Kroc made no complaint. A few months later, however, the Salvation Army signed a contract to let a lesbian singing group perform in the theater.

Kroc's philanthropic interests were apparent at her last birthday party, Aug. 27, at her home in Rancho Santa Fe.

"She never wanted a fuss made over her," said Dick Starman, a close friend and former McDonald's publicist. Nonetheless, there were gifts — and toasts that lavished her with praise.

Joyce Neu, director of the Joan B. Kroc Institute for Peace and Justice at the University of San Diego, gave Kroc a coffee

table book about Africa. Kroc had given to famine relief in Africa and was concerned about finding a way to break the cycle of strife and starvation that seems to bedevil the continent. For that reason, she had donated money to the peace center at the university and a similar program at Notre Dame to allow them to reach abroad for scholars and students. After her death, each of the institutes received \$50 million.

"She hoped very much that a new generation of leaders might arise who are dedicated to peace," Neu said.

Friends who spent time with her near the end say she was satisfied that she had found the right way to dispense her immense estate.

In the last weeks of her life, Kroc would occasionally be driven to the Rolando center. Sometimes she would just sit unannounced in her car and watch children enjoying the playing fields, swimming pools and outdoor art classes.

The budget for Kroc's first community center had started

at a modest \$2 million. But at her urging, the size and cost of the project had grown.

In 1999, the Salvation Army announced what was, at the time, the largest donation in its history, \$92 million from the railroad worker's daughter who had married a fortune and turned it to good works. The goal was to build and operate a 12-acre community center as fine as any in the nation. Included would be the only ice skating rink among the Salvation Army's 9,000 sites in the United States.

When the center opened in 2002, Kroc had been convinced to make one of her rare public appearances. The complex, she said that sunny day, was more than a place for games and classes; it was "a miniature peace-center" where children of different backgrounds could meet.

Just weeks after visiting the facility for the final time, to check on the placement of one of her last gifts — a sculpture by artist Henry Moore — Kroc died of brain cancer at home.

CONTRA COSTA TIMES

WALNUT CREEK, CA
MONDAY 187,630
FEB 9 2004



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WEST COUNTY TIMES

RICHMOND, CA
MONDAY 32,721
FEB 9 2004

Money to fix the world

E4154

EDITORIAL

THE NUMBERS ARE HUGE: \$12 million, \$30 million, \$90 million. It's hard to fathom these as donations given by one person. But indeed, these were the kinds of donations Joan Kroc, wife of the man who started McDonald's, gave during her lifetime.

Amazingly her October death has led to even larger donations: \$200 million to National Public Radio and \$50 million each to two peace institutions funded by and named for her, one at Notre Dame, the other at University of San Diego. Most financially significant, however, is her \$1.5 billion to the Salvation Army.

It has a specific cause, community centers around the nation like the prototype in San Diego, but like most of Kroc's donations, she was making an effort to improve the state of the world. She had long sought to spread peace, education possibilities and opportunity. She was adamant about peace education, saying, "Unless we teach our children peace, someone else will teach them violence."

Her outlook is shared by others. Several of the super-rich are often troubled by the world they see in the distance; often they make an effort to spur change.

For instance, Microsoft's Bill Gates, along with his wife, Melinda, has given the largest single philanthropic donation ever and has given "small" donations to many concerns, such as \$168 million to malaria research, \$100 million to a U.N. group to fight AIDS, \$40 million for technology for students in Africa.

Media mogul Ted Turner's billion-dollar donation for U.N. programs is most well-known. It's less known that he continues to give to U.N. causes and programs.

Financier George Soros has been criticized for his political donations toward ousting President Bush, but he's donated millions of dollars to Russia and Eastern Europe toward the uplifting of democracy.

The point here is not simply the staggering amounts of money given away. It's this spirit of wanting to bring about change, a better way of life for more people. The Krocs, the Gateses, the Turners and even the Sorosos of the world deserve praise for seeing the real problems of the world despite their high perch. They deserve credit for sharing their wealth to make a difference. Money makes things happen and can lead to positive results. Those of us not in the super-rich category also deserve praise when we make an effort to lessen the problems of the world. Charitable organizations love the big gifts of millions but can't do their job without the millions of smaller gifts. Money. It might not save the world or bring global peace, but let's give Joan Kroc and those like her, with the spirit of concern, credit for trying.

Richest Philanthropists Give to Liberal Causes

by Jon E. Dougherty

The nation's wealthiest benefactors are giving vast sums of money to fund mostly liberal causes by channeling billions to foundations that support leftist political issues, not the least of which are political groups aimed at unseating President Bush in this year's presidential election.

Though not all are contributing to groups whose goal is the demise of Bush, some of the top donors to left-of-center causes include the Ford Foundation, Intel co-founder Gordon Moore and his wife, Betty, investor George Soros, and others.

Though they are not matching the dollar amounts, a number of Hollywood stars are lending as much in notoriety to the liberal political cause in 2004. Together, these people and their institutions represent the kind of high-dollar support many other conservative politicians, organizations and foundations can only dream about.

Interestingly, one of the most popular complaints by left-leading individuals and organizations is that they are outfunded, outspent and underrepresented in the mainstream, in terms of news organizations, philanthropy and mainstream cultural centers. But a closer examination of the money held by and donated to left-leaning groups finds that liberal support is as much as, if not more than, conservative support.

Rush to Give It All Away

Perhaps the biggest difference these days regarding liberal philanthropy is the "hands on" approach by donors. As reported by BusinessWeek magazine, one of the most common trends in philanthropy is a sort of "philanthropy in our lifetime" philosophy. The magazine said that top givers are giving away more now, while they're still alive, most likely because they want to control where their gifts are going.

"Why the rush to give it all away? Probably the biggest reason is control. By giving now, philanthropists can make

sure their gifts fund the causes they've chosen in the most efficient way possible, rather than trusting future foundation heads, who may be tempted to stray from the founder's mission," said the BusinessWeek report.

In terms of helping a Democrat recapture the White House, liberal philanthropists want to be directly involved — monetarily and otherwise. That's certainly the case for mega-billionaire George Soros, who is funding a number of liberal groups with \$100 million of his own money in an effort to oust President Bush this year.

Notes Robert Kuttner, a columnist for the Boston Globe and co-editor of the liberal biweekly American Prospect, Soros' giving remains legal "by backing targeted voter education and registration efforts, anti-Bush advertising, and advocacy groups."

"A coalition of 24 national progressive mass-membership groups, ranging from the Sierra Club to the NAACP, have joined forces under the name America Votes," wrote Kuttner in his Nov. 12 Globe column. "Another new progressive coalition, America Coming Together (ACT), will spend \$75 million to \$90 million, mostly from large donors and unions, mobilizing voters."

Conservatives Get Nothing

"Regrettably, none of the top five foundations support conservative causes in any way," Terry Scanlon, president of Capital Research Center, a conservative philanthropic watchdog, told CNSNews.com last year.

One of the most liberal causes includes support for abortion and abortion services as a means of global population control. For instance, CNSNews reported, the State Family Planning Commission of the People's Republic of China, responsible for enforcing China's controversial one-child policy, received a \$215,000 grant from the Ford Foundation in 2000 and \$640,000 in grants from the organization in 2001.

Initially, Mr. Ford envisioned a more

conservative foundation, but Scanlon said the organization has shifted left since its founding in 1938. "Almost everything they do is left-wing. They have a very avant-garde liberal agenda," stressing "diversity" issues and "population control," Scanlon said.

For instance, of the more than \$8.6 million given away by the Ford Foundation in 2002, according to Capital Research Center, four gifts of \$925,000 were given to the American Civil Liberties Union, the legal foundation known for its anti-religious,



Gordon Moore helped create the modern PC industry, and now seeks to help enviocrats.

pro-abortion, pro-Internet pornography arguments.

The Gordon and Betty Moore Foundation concentrates heavily on environmental issues. In August 2002, the foundation undertook a 42-month, \$17.981 million grant to the World Wildlife Fund to increase the amount of Brazilian rainforest under protection, through a government-sponsored project.

Joan Kroc gave \$200 million to National Public Radio, but Kroc also gave the University of San Diego and the University of Notre Dame \$50 million each.

In 1998 she gave \$25 million to USD for the establishment of the Joan B. Kroc Institute for Peace and Justice. Notre Dame hosts a similar institution, the Joan B. Kroc Institute for International Peace Studies, which was established in 1986, the Washington Post reported. She also donated money for construction of homeless and animal shelters.

\$1.5 billion gift to Salvation Army

By MICHELLE MORGANTE
ASSOCIATED PRESS WRITER

4154
SAN DIEGO (AP) — On a city block once blighted by vacant buildings, seniors swim laps in an Olympic-sized pool, boys and girls learn guitar, a theater crew prepares for a free symphony concert and parents ice-skate with their children.

Over it all presides the spirit of Joan Kroc, the McDonald's heiress whose vision and money built the 18-month-old community center and transformed this once neglected corner of eastern San Diego.

The Salvation Army Ray and Joan Kroc Corps

Community Center is the first of what the charity hopes will be 25 to 30 such facilities that will open around the country thanks to a donation from the Kroc estate estimated at \$1.5 billion.

The organization announced the gift, the largest single donation ever given to a charitable group, on Tuesday.

Kroc, who died in October in San Diego County, had donated \$87 million to the Salvation Army to open the community center in June 2002 on a 12 1/2-acre site. Today, some who use the facility — where services include child care, rock-climbing, language tutoring, church services

and an indoor skateboarding park — like to call it the "Kroc Country Club."

"It's something they never thought they would have in this community," said center spokeswoman Shelby Gordon.

All the facilities are top-of-the-line.

"Mrs. Kroc thought it would be a crime if a child would discover their dream here and then, three or four years later, their skills would have them outgrow the facility," said Cindy Foley, the center's associate administrator. "She wanted the quality of the facility to be able to support a child should they have professional or Olympic potential."

Already, one college-age swimmer from the aquatics program, Noah White, has been invited to the Olympic trials. And Brett Ryan, a 13-year-old local boy who ventured into the ice rink one day when the skateboard park was closed, is now a competitive skater who recently won a regional title.

"This center is going to produce Tony Award winners, Grammy Award winners, Emmy Award winners, Olympians, Nobel Prize winners, Pulitzer Prize winners," Gordon said.

The center relies on a corps of volunteers, such as 65-year-old Max Jenkins who is thrilled

to help seniors learn to swim for the first time. Or Joseph Marcello, a 75-year-old who reads to children and gives tours of the facility. Marcello credits the swim center and access to a piano with helping him recover from a stroke last year that paralyzed the left side of his body.

"The gift of life has been given to me," he says, wiggling the fingers on his left hand.

The donation represents the remainder of Kroc's vast estate following a \$200 million gift to National Public Radio and large bequests to two peace and justice institutes

that bear her name. It will be split among the Salvation Army's four territories which are based in Atlanta, Chicago, Long Beach and New York City.

Each division then will solicit proposals to build tailor-made community centers around their regions.

Membership in the San Diego center costs \$420 a year for a family of four living in the neighborhood, \$600 for those outside. Scholarships are available for those who can't afford the full rates. Currently the center has 6,300 members, Foley said.

MC COOK DAILY GAZETTE

MC COOK, NE
WEDNESDAY 7:500
JAN 21 2004



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\$1.5 Billion Goes to Salvation Army

Charity Gift Likely Largest of Kind

By TONY PERRY
Los Angeles Times

SAN DIEGO — In one of the largest donations to a single charity, the estate of the late philanthropist Joan B. Kroc announced plans Tuesday to donate an estimated \$1.5 billion to the Salvation Army to build 25 to 30 community centers in struggling neighborhoods around the United States.



KROC: Widow of McDonald's fast-food magnate

Kroc, the widow of McDonald's fast-food magnate Ray Kroc, died of brain cancer Oct. 12 at her home in Rancho Santa Fe. She was 75.

During her life, she stealthily donated hundreds of millions of dollars to programs promoting education, health care, African famine relief, the arts, the pursuit of peace and nuclear non-proliferation and more.

Salvation Army gets record donation

The estate of Joan B. Kroc, widow of the founder of McDonald's Corp., is giving the largest gift ever to a charity — \$1.5 billion to build and operate Salvation Army community centers across the United States.

The Ray and Joan Kroc Corp Community Center in San Diego which was built from a \$92 million Kroc donation in 1998, is the model for the centers. Half of the money will be used to build the centers and the other half will be used to set up an endowment to operate them.



Other Joan B. Kroc estate donations in 2003

National Public Radio	\$200 million
Ronald McDonald House Charities	\$60 million
University of Notre Dame's peace-studies institute	\$50 million
UC San Diego's peace-studies institute	\$50 million

SOURCES: Salvation Army; The Chronicle of Philanthropy

AP

Since her death, Kroc's estate has followed her wishes, giving \$200 million to National Public Radio, \$50 million each to institutes at Notre Dame University and the University of San Diego, \$20 million to the San Diego Hospice, \$10 million to the San Diego Opera, \$5 million to build a Catholic school in Chula Vista, and \$1 million to San Diego's Children's Hospital.

The \$1.5 billion gift to the Sal-

vation Army catapults Kroc to the top of an elite group of charitable benefactors, which includes the likes of Bill Gates, Ted Turner, Walter Annenberg, and Eli Broad.

Officials at the Center on Philanthropy at Indiana University said the Kroc bequest appears to be the largest ever given by an individual to a single charity. There have been larger gifts, such as the \$6 billion given by Microsoft founder

Bill Gates to the Bill and Melinda Gates Foundation, but those donations were given to foundations for the upkeep of multiple charities and causes.

Philanthropy expert Paul G. Schervish, director of the Social Welfare Research Institute at Boston College, called Kroc an "entrepreneurial philanthropist" who wanted a personal connection to the charities she chose and also to donate enough money to see results.

Two characteristics of her charity were spontaneity and anonymity. When the Red River flooded the upper Midwest in 1997, Kroc flew unannounced to the Midwest and began handing out checks. In all, she donated \$15 million to flood victims. Her largess might never have been known except for an enterprising newspaper reporter who traced the tail number on her jet.

Although specific locations have not yet been selected, Salvation Army officials said the centers will be spread evenly throughout the organization's four regions in the United States. With a budget of more than \$2.5 billion, the Salvation Army provides services to more than 42 million people.



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Evidence women should rule the world

By FROMA HARROP

Anyone who still doubts that women should rule the world need only consider the late Joan Kroc. Her estate just gave \$1.5 billion to the Salvation Army, the largest donation ever to a single charity.

It's not that male tycoons don't give lots of money, and with open hearts. The charitable foundation created by Microsoft's Bill Gates, for example, has pledged or donated away an astounding \$23 billion.

But Kroc, Brooke Astor and other ladies who have inherited big piles from the men in their lives seem to have their own special style of giving it away. "Uncomplicated" is how Paul Schervish, a Boston College sociologist and expert on philanthropy, puts it. Also, "straightforward."

"She didn't have a lot of advisers and complex negotiations," Schervish says of Kroc. "She had this sense that once she picked a group she thoroughly trusted, she would let them do it."

Kroc was wife to McDonald's founder Ray Kroc.

He died in 1984, leaving her some burger billions. It's fun to imagine Kroc sitting on her verandah near San Diego and listening to NPR: As she takes in the troubled world, she takes out her checkbook.

National Public Radio was itself high on Kroc's gift list.



Froma Harrop

Shortly after her death in October at age 75, Kroc's estate announced a breathtaking \$200 million bequest to NPR. The folks at NPR had no idea this was coming their way. It amounts to nearly twice their annual operating budget. We can only guess at what she tuned in

to. "All Things Considered?" "Car Talk?" You wonder how Kroc felt about the NPR interview with the author of "Junk Food Nation," who swore on the air he'd never go into a McDonald's again. She apparently took it in stride.

Born in St. Paul, Minn., Kroc gave \$15 million to the victims of the 1997 floods that had devastated parts of the upper Midwest. She tried to keep the donation anonymous, but a local reporter discovered the source and revealed her name. She also gave \$50 million to the University of San Diego and to Notre Dame,

which created the Joan B. Kroc Institute for International Peace Studies.

Philanthropists, says sociologist Schervish, are motivated by the chance to be "world constructing." That means they have enough money to change things in a big way. And the ladies seemed not so much interested in making Harvard richer as in literally transforming their cities.

Brooke Astor's third husband was an heir of John Jacob Astor, the richest man in America when he died in 1848. She ended up with the money and has spent it at home. For her, that's New York City. Astor has given millions to the public library, millions to the Metropolitan Museum of Art, millions to the city's poor.

"I never gave money to any place unless I personally visited it," Astor once said. (Brooke Astor is still with us at age 101 and at this moment wintering in Palm Beach.)

Doris Duke inherited many millions from her father, founder of the American Tobacco Co. The tabloids called her the "Richest Girl in the World."

Duke was not shy about flaunting it at her Newport mansion, but she was also aware of the many derelict Colonial-era buildings in the

lesser parts of town. This was the 1960s, when Americans showed meager interest in historic structures that weren't grand. For the next 16 years, Duke paid for and personally managed the restoration of 83 decaying historic buildings.

Duke died in 1993, but the Doris Duke Charitable Foundation lives on, preserving big chunks of America. Just this month, the foundation helped save from development a dramatic 21,000-acre landscape shared by Tennessee and Alabama, once home to Davy Crockett.

Kroc turned her sights on San Diego. Before her death, she had already paid for the Salvation Army's Ray and Joan Kroc Corps Community Center. The center brought ice skating, literacy programs and music lessons to one of San Diego's dicier neighborhoods. Its presence is breathing some new economic life into the surrounding area. The \$1.5 billion gift requires that similar centers be built elsewhere, and so it has some strings attached. But that's OK. Lots of money is attached to the strings.

Talk about "world constructing."

Froma Harrop writes for the Providence Journal. She can be contacted via e-mail at fharrop@projo.com.

fyi

San Diego

Events

Seniors art show, 1:30 to 3 p.m. today, 4171 Camino del Rio South. The annual event features paintings created by residents of Cloisters of the Valley. Free. Information: (619) 283-2226.


San Diego Bay lecture series continues with "Conservation in San Diego," 6:30 to 8:30 p.m. Tuesday, San Diego Natural History Museum, Charmaine & Maurice Kaplan Theater, Balboa Park. Serge Dedina will present "Jewels in the Eelgrass: The Endangered Wildlife of San Diego Bay," and Kai Schumann will discuss "White Sea Bass: Return From the Brink." The series is co-sponsored by the Port of San

Diego and the San Diego Natural History Museum. Detailed information on other lectures can be found at www.sdnhm.org/education/portseries.html.

Presidential candidate Dennis Kucinich will discuss "The Role of the U.S. in Preventing Deadly Conflict" during a visit to the University of San Diego, 7:30 p.m. Friday at the Joan B. Kroc Institute for Peace & Justice. Because seating is limited, reservations are requested by Tuesday. Information: (619) 260-7509. The event is part of "Elections 2004," the university's program to learn where candidates stand on the role of the United States in preventing deadly conflict.

Meetings

San Diego French-American Chamber of Commerce, 6:30 to 9:30 p.m. Monday, French Accent, 8935 Towne Centre Drive. There will be a wine tasting and buffet. Members, \$20; nonmembers, \$30. Information: (858) 551-1837, or visit the Web site: www.france-sandiego.org.

2.25.04  CITYBEAT

FRIDAY, FEB. 27

THE REGISTRATION DEADLINE HAS BEEN EXTENDED

just for you, dear readers, to attend Presidential candidate **Dennis Kucinich**'s stump-lecture stop. Kucinich will speak on "The Role of the U.S. in Preventing Deadly Conflict," at 7:30 p.m., at the Joan B. Kroc Institute for Peace & Justice, 5998 Alcalá Park in Linda Vista. 619-260-7808. Limited seating: RSVP ASAP to: ipj@sandiego.edu; or call 619-260-7509.

San Diego Reader February 26, 2004

SANDIEGOREADER.COM

Calendar
LOCAL EVENTS

Four-Term Ohio Congressman and Democratic presidential hopeful Dennis J. Kucinich speaks on "The Role of the U.S. in Preventing Deadly Conflict," Friday, February 27, 7:30 p.m., in Joan B. Kroc Institute for Peace and Justice, University of San Diego (5998 Alcalá Park). Free. Requested reservations: 619-260-7509. (LINDA VISTA)

2.18.04  CITYBEAT

PERFORMING ARTS

Musical performances

JUKE BOX GIANTS at East County Performing Arts Center, 210 East Main St., El Cajon, 619-440-2277. Friday, Feb. 20, at 7:30pm, the show features Herman's Hermits and San Diego native, singer-songwriter Steve Bishop. Tickets are \$17-\$27.

USD FACULTY RECITAL at Shiley Theatre, Camino Hall, 5998 Alcala Park, 619-260-4171. Christopher Adler performs cutting edge piano music by young American composers. Friday, Feb. 20, at 8pm. Tickets are \$6-\$8.

SAN DIEGO SYMPHONY Light Bulb Series: *Flamenco: Song, Dance, Passion!* at Copley Symphony Hall, 750 B St., Downtown, 619-235-0804. Saturday, Feb. 21 at 8 pm, enjoy the rhythms of the Spanish guitar as influenced by the poet and playwright, Garcia Lorca. Roberto Limon performs "Concierto de Aranjuez" on guitar. Tickets are \$10-\$55.

★ **VOZ ALTA PRESENTS:** *New Sounds Downtown* at Voz Alta Performance Space and Art Gallery, 1544 Broadway (corner of 16th Ave.), Downtown's East Village, 619-549-4538. On Saturday, Feb. 21. (See "CityWeek," Page 35 for details), hear the "Electro-acoustic chamber music" of Nathan

School of Law

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FRANCES FRAGOS TOWNSEND
National Director for Combating
Terrorism; Deputy National Security Adviser
THE WHITE HOUSE
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Colleagues characterize Frances Townsend as both “charming” and “disarmingly frank.” Responsible for tracking global terrorism for the National Security Council, Townsend has a knack for bridging communication gaps gracefully. As a senior Justice Department official under Attorney General Janet Reno, she was one of the few who could mediate the sometimes-tense discussions between Reno and then-FBI Director Louis Freeh, Townsend’s longtime mentor.

At the NSC, Townsend has earned the trust of President Bush, with whom she meets daily. She chairs the Counterterrorism Security Group, which meets weekly to ensure that all the departments with a role in counterterrorism are on the same track. During the Christmastime Code Orange alert, the security group convened twice-daily meetings, often at the Cabinet level, to discuss the latest threat information and response. On the job since June 2003, Townsend has had such high-profile assignments as heading counter-terrorism for the NSC’s



new Iraq Stabilization Group, and leading a delegation to Saudi Arabia to root out terrorist financing. When Townsend took the NSC job, some Republicans voiced concern that she was a Democrat and potential political infiltrator. She laughs it off: “I’ve been a registered Republican voter since the age of 18.”

Townsend sees her NSC post as a chance “to try and better the system that I’ve been a part of for my whole career.” A native of Wantagh, N.Y., Townsend, 42, earned her bachelor’s degree from American University and went on to the University of San Diego School of Law. A former assistant district attorney in New York City, Townsend spent 13 years at the Justice Department. There, she served in a number of posts, including coun-

sel for intelligence policy. She then shipped off to the Coast Guard, where she became assistant commandant for intelligence and was charged with making the Coast Guard an official member of the intelligence community. Former colleagues were impressed with her ability to deliver quickly on that order. “She’s a leader,” said one.

Profiles in this section were written by Lisa Canuso, Nancy Ferris, Siobhan Gorman, Shane Harris, Mark Kukis, Katherine McIntire Peters, and Alina Tugend.

HOMELAND SECURITY 100 / FEBRUARY 2004 77

Hey, Big Spenders: Here's a Law That Could Stop You!

By John O. McGinnis
And Michael B. Rappaport

President Bush's inability to control the federal budget demonstrates yet again that democracy's inclination toward excessive spending is as powerful as a force of nature.

The past two years' outrageous 8.2% annual increase in domestic discretionary spending is unfortunately only the latest example of excessive government spending. Since the beginning of the century, domestic federal spending has increased more than tenfold from less than 2% of Gross Domestic Product to close to 20% today. As the quantity of spending has increased, moreover, the quality has declined, with larger proportions going to transfers from one group of citizens to another rather than to public goods.

* * *

Periodically, Congress and the president have agreed on restraints—such as Gramm-Rudman or the Pay-as-You-Go rules—that have slowed the growth of spending. But these reforms merely retard spending increases temporarily until Congress feels able to eliminate them and then unrestrained spending re-emerges.

The Republican Congress's failure to enforce spending priorities worthy of the party of limited government shows that excessive spending has no partisan affiliation. Regardless of the party in power, special interests always favor more spending, because they can earmark the benefits for themselves and diffuse the costs of excessive taxes or debt on the general citizenry. Today, the Republican majority wants to lavish spending on highways, pharmaceuticals, and other items that benefit their supporting interest groups.



George W. Bush

Beyond the power of interest groups, government spending has a permanent grip on the popular imagination. If a problem like education or housing bedevils society, politicians can most easily show that they care by opening the government's checkbook.

Because the problem of excessive spending inheres in the structure of democracy, the solution must be structural as well. While the most common structural reform proposal is a balanced budget amendment, that amendment is not the best way of restraining spending, since it limits only one source of spending—excessive debt. Even an amendment that restrained both taxes and debt would not be optimal, because its effect on spending would be indirect and because it is difficult to define taxes and debt with sufficient precision to impose sensible limits on them.

A better structural reform would derive from a spending limitation amendment. Such an amendment could address excessive spending directly by requiring that Congress obtain a two-thirds or three-fifths majority to pass any new spending laws. Spending could also be precisely defined as all net payments that move from the Treasury to other hands.

Our proposed amendment would avoid two kinds of criticisms that have been made in the context of balanced budget amendments.

First, some critics might fear that a supermajority rule would perversely provide additional leverage to a minority favoring higher spending because that minority can threaten to shut down the government unless additional spending is enacted. As we learned during the Clinton era, citizens understandably fear government shut-downs because the government's core functions sustain the social order. Our amendment would deprive holdouts of additional leverage because it would allow a mere majority to pass spending laws so long as total spending remained less than 90% of the previous year's total. A congressional majority could therefore prevent a government shut-down, but there would still be pressure eventually to pass spending under the supermajority rule because Congress will almost always want to spend at levels higher than 90%.

Other critics worry that a constitutional amendment on fiscal matters provides yet another avenue for rule by judiciary. But our amendment would minimize judicial involvement by providing the president with the initial responsibility to impose a remedy, if Congress were ever to attempt to spend more than 90% of last year's budget with a mere majority. The president would be directed to sequester funds in excess of 90% of last year's budget proportionally from each government program. This mechanism not only would limit the court's ability to administer the spending amendment, but would also deter Congress from violating the amendment lest it give power to its institutional rival.

Besides limiting the runaway growth in federal spending, a spending supermajority rule would generate other salient benefits. It would improve the quality of spending, because spending that can secure a supermajority is likely to be better on average than spending which can only garner a majority. By lowering the need for taxes or debt, the amendment should increase economic growth. The amendment would also leave the states and private associations with more resources to resolve social problems.

Perhaps most importantly, the supermajority rule would require that federal spending have the support of a substantial consensus. This requirement would deter citizens from using federal spending for private ends and encourage them instead to use spending to solve common problems. The election of new leaders has not reduced the politics of division. Only structural reform can change the tone in Washington.

Mr. McGinnis, a professor at Northwestern Law School, and Mr. Rappaport, a professor at the University of San Diego Law School, are the co-authors of a forthcoming book on supermajority rules.

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Scalia puts USD law students to the supreme test

By GEORGE DECKER
Special to The Daily Transcript

While the rest of the country was observing Presidents' Day on Monday, the University of San Diego School of Law was celebrating the visit of one of the most important judges in all the land — U.S. Supreme Court Justice Antonin Scalia.

The law school had Scalia as its guest for an entire day — a very long day, starting at 9 a.m. He spent the morning and much of the afternoon meeting with students, faculty and staff, as well as teaching classes in constitutional law and lawyering skills.

But the main event was the final round of the Paul A. McLennon Sr., Honors Moot Court Competition, in which Scalia — as presiding judge of a panel that also included Judge Michael Daly Hawkins of the U.S. Court of Appeals for the 9th Circuit, and Justice Judith L. Haller of the California Court of Appeal, 4th District — would hear two USD law students arguing an actual appellate case.

The competition was established in late 2002 through the generosity of USD law professor Michael Devitt and his family in honor of longtime family friend, attorney and naval aviator Paul A. McLennon Sr. It gives USD law students the opportunity to develop their brief-writing and advocacy skills by focusing on one case, and to test those skills in an open, rigorous competition. Last year, U.S. Supreme Court Justice Clarence Thomas served as presiding judge for the final round of the inaugural McLennon competition.

Almost 160 USD law students took part in the 2004 McLennon competition. The competition, which spans several months, has three separate components. First, students attend four mandatory

classes taught by Devitt. Each class features guest speakers including appellate court judges, attorneys in appellate practice, and leading scholars in constitutional law. Second, students write an appellate brief for either the petitioner or the respondent. Finally, students compete in two evenings of preliminary rounds in which they argue both sides of the case. Those who survive the preliminary rounds continue competing in further rounds until the field is narrowed to two finalists.

USD's Appellate Moot Court Board, which consists entirely of law students, picked a particularly challenging case — *ACLA v. Planned Parenthood of Columbia/Willamette* — for this year's McLennon competition.

The issues presented by the case, which had been decided by the 9th Circuit Court of Appeals, en banc, and (in real life) had

been denied certiorari by the U.S. Supreme Court, revolved around whether a pro-life/anti-abortion organization's posters and Web site materials, targeting physicians who perform abortions, constitute a true threat or protected speech under the First Amendment to the Constitution.

Jessica Heldman, a third-year law student who plans to practice as a child advocate after she graduates this year, and Maura Hartmere, a second-year law student who plans to become a prosecutor, emerged as the two finalists after running the gauntlet of the earlier rounds. Upon learning that she had won in the semifinal round and would be one of the two finalists, Heldman said her first thought was, "What an amazing honor — to argue before a justice of the Supreme Court and other distinguished

judges. This is the opportunity of a lifetime."

Shortly after 6 p.m. in the filled-to-capacity Peace and Justice Theatre at the Joan B. Kroc Institute for Peace and Justice on the USD campus, the event began with the bailiff's cry of "Oyez, oyez, oyez," calling the courtroom to order and signaling the entrance of the judges. After a welcome by Dean Daniel B. Rodriguez, the finalists commenced their oral arguments, with Heldman for the petitioner, and then Hartmere for the respondent.

The final round was a lively ebb and flow, with the judges frequently interrupting the students with incisive questions that tested their ability to think on their feet. Both Hartmere and Heldman argued skillfully, but neither landed a knockout punch, making the deci-

sion a hard one for the panel.

"It was a close question and the court was divided, but someone has to win and someone has to lose," Scalia said before announcing that Heldman had prevailed. "It's not much different from what you would see in an appellate court. The questioning is just as annoying — it's the judges' opportunity to probe for weakness. I think they did a very good job, and I congratulate both counsel and the team that picked the case. It's a very good one and I'm glad (the U.S. Supreme Court) didn't get it."

Was there any secret to Heldman's success? She spent the weekend before the final round practicing with fellow USD law students who played the part of Scalia, and "heeded the advice of numerous professors to relax and just enjoy the conversation."

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Scalia standing firm amid criticism of apparent conflict in Cheney case

4154
Justice should recuse himself in energy case involving pal, critics say

ASSOCIATED PRESS

WASHINGTON — Supreme Court Justice Antonin Scalia, a combative conservative known for his tough talk on and off the high court bench, isn't backing down in the face of criticism that he should stay out of a case involving his friend and hunting partner, Vice President Dick Cheney.

The two men went on a duck-hunting trip last month, three weeks after the court agreed to hear a White House appeal in a case involving private meetings of the vice president's energy task force. Critics said the trip raised questions about Scalia's impartiality in the case.

Scalia told a gathering at Amherst College that there was nothing improper about the trip and nothing about the case that made it a conflict for him.

"It did not involve a lawsuit against Dick Cheney as a private individual," Scalia said Tuesday night in response to a question from the audience of about 600. "This was a government issue. It's acceptable practice to socialize with executive branch officials when there are not personal claims against them. That's all I'm going to say for now. Quack, quack."

Cheney wants to keep private the details of closed-door White House strategy sessions that produced the Bush administration's energy policy. The administration is fighting a lawsuit brought by watchdog and environmental groups that contend that industry executives may have helped shape the administration's energy policy.

Paul Rothstein, a law professor at Georgetown University, said yesterday that while the lawsuit does not seek money from Cheney, it would be a mistake to say the vice president does not have a personal stake in it.

"There are reputational stakes, career stakes for Cheney," Rothstein said. "To a man in Cheney's position, those things are as important as money. And in the long run, they mean money."

He said Scalia should recuse himself.

"I'm surprised he's sticking by his guns. I would hope he does see the light," Rothstein said. "He has some of the arrogance that sometimes goes with being very smart."

Democrats in Congress, some legal ethicists and dozens of newspaper editorials have called on Scalia to stay out of the case. None of the groups in the case has formally asked Scalia to recuse himself, but the Sierra Club has said it might.

Supreme Court justices, unlike judges on other courts, de-

cide for themselves whether they have conflicts, and their decisions are final.

Scalia, appointed to the court by President Ronald Reagan, had not publicly addressed the issue before his speech in Amherst, Mass., where about a dozen people wearing black armbands protested. One held a sign that said, "Let's go hunting."

Michael Ramsey, a former Scalia law clerk, said the justice may be concerned about setting a precedent that would "lead to a flood of recusal requests that will likely have the effect of preventing the justices from having social interaction with other branches."

"Once we start down that road, where do we stop?" asked Ramsey, who teaches law at the University of San Diego.

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The San Diego Union-Tribune | NATION | Thursday, February 12, 2004



<http://www.latimes.com/news/local/la-me-resign12feb12,1,2445516.story?coll=la-headlines-california>

THE STATE

Medical Board Chief Leaves for New State Post

By Lisa Richardson
Times Staff Writer

February 12, 2004

Ronald Joseph, executive director of the Medical Board of California for eight years, has left the agency that regulates the state's 115,000 doctors.

On Wednesday he started as chief deputy director of the Department of General Services, where, according to a statement by Gov. Arnold Schwarzenegger, his "insight and management experience will be invaluable."

Joseph, 55, could not be reached for comment.

Colleagues lauded his tenure at the board, and credited him with an aggressive approach to patient protection and a new emphasis on public disclosure.

"The staff is crushed," said board spokeswoman Candis Cohen. "He was not only capable, but he had an open-door policy and most of all he was patient-oriented."

Although some of his programs are no longer in place, Joseph led the board's efforts to step up enforcement, she said.

He established Operation Safe Medicine, an office of investigators devoted to uncovering unlicensed practitioners, and he created one of the nation's first programs to track down doctors who prescribe over the Internet without examining patients.

Julie D'Angelo Fellmeth, who was appointed by the Legislature to research Medical Board enforcement activities, said the agency during Joseph's tenure had become increasingly open and consumer-friendly, although it at times had been stymied. She said the board historically had been faulted for lax oversight.

Under Joseph, the board voted to disclose civil settlements that physicians had made for more than \$30,000 and also misdemeanor criminal convictions. Both initiatives were blocked by the Legislature.

Fellmeth, who also is the administrative director for the Center for Public Interest Law at UC San Diego, said Joseph and the staff had been helpful.

"I will miss him greatly," she said. "One of the reasons I wanted the job was I knew I could work with Ron Joseph."

Joseph has held a variety of management positions including chief deputy director of the Department of Health Services and interim director of the Department of Consumer Affairs.

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RENO GAZETTE-JOURNAL

Solutions: Medical experts write prescription to make board more effective

Better communication, increased public trust, other changes needed

Frank X. Mullen Jr.
RENO GAZETTE-JOURNAL
2/16/2004 04:12 am

Doctors, lawmakers and members of the public said laws passed last year aren't fixing problems at the Nevada State Board of Medical Examiners.

"The disciplinary system for doctors is still in disarray," said Dr. Ed Kingsley, president of the Clark County Medical Society. "The new laws haven't made much of an impact."

The Legislature in 2003 passed several bills aimed at making more doctor information available to the public and ordered an audit of the panel by the Federation of State Boards of Medical Examiners, a trade association. Auditors in December made suggestions for making the Nevada panel more efficient and responsive.

Lawmakers, doctors and others said that some of the auditor's suggested solutions have merit but said they were generally disappointed with the audit. They said the trade group merely parroted the excuses the medical board has been giving the Legislature for years. The Legislative Council, a panel of 12 lawmakers scheduled to meet in Carson City at 1:30 p.m. Wednesday at the Legislative Building, will discuss the audit report.

Critics of the board said that the audit and the Reno Gazette-Journal's investigation of the medical examiners are good first steps toward fixing a broken system.

"There's a small number of doctors responsible for a disproportionate amount of malpractice payments and the board should have been looking for patterns," said Lawrence P. Matheis, executive director of the Nevada State Medical Association.

"Clearly, the board and the other parties responsible for overseeing the system haven't been doing that. In a small state like ours, a very small number of malpractice cases can totally upset our market, raising everyone's malpractice premiums."

Matheis said the public expects the medical board to protect it against the few bad practitioners. He said doctors expect the panel to be fair, honest and open with the physicians. The willingness of all stakeholders to work together and continued scrutiny of the panel's actions are required to improve the panel, Matheis said.

"There is nothing like the antiseptic of sunshine to move the political debate along," he said. "The public expects all parties involved to work these problems out."

Here, based on interviews with health systems experts, consumer advocates, medical board officials from several states, lawmakers, medical society officers and others, are suggested solutions to the problems of the Nevada State Board of Medical Examiners:

The board should accept that problems exist and work to solve them.

"The board has consistently denied any responsibility for how it is perceived," Matheis said. "The change must come not just from outside the board, but from inside the board."

Assemblywoman Barbara Buckley, D-Clark, said the panel blames other people and agencies for its problems. She said the auditors repeated that theme and "pointed fingers everywhere but (at) the board."

For example, the board has failed to take action against doctors with serial malpractice payments, but blamed reporting parties for being slow in sending settlement information. Yet, she said, the settlement data were available from other sources and the board has the authority to demand timely reporting.

"They have to take responsibility for their own shortcomings," she said.

The board should seek out doctors with patterns of malpractice incidents and not wait for patients to complain to them. In addition, the panel must eliminate duplication and wasted resources in its malpractice investigations.

"They have to be more pro-active and not just wait for things to come to them," Buckley said. "They haven't been paying attention."

A law passed last year requires the panel to "open a file" on all new malpractice lawsuits filed in court. At recent board meetings, staff members told the medical panel that they were "hundreds of lawsuits behind" in their investigations. But the audit of the board said the board receives malpractice information from so many sources that many individual cases often are duplicates of the same case winding its way through the system.

The audit recommended the staff track cases with computers to eliminate wasted effort. It also recommended the board make cases involving risk to the public its highest priority, as is done in California and some other states. The panel also must make sure patients are aware that the board exists to protect them from dangerous doctors and medical errors, experts said.

California, Arizona and other states look for patterns in citizen complaints as well as in malpractice lawsuits. Individual complaints against a doctor may not each rise to the level requiring discipline, but if a single practitioner gets frequent complaints it could be an indication of a greater underlying problem such as substance abuse, California board officials said.

Other boards also make patient-care issues the top concern, prioritize complaints based on the danger to patients, and make sure the public is aware that the board exists to police the profession.

Arizona's board has a special investigation division to focus on patient care issues. Texas posts notices in all doctors' offices notifying consumers about the medical board and what it does.

The panel must establish a public trust.

Julianne D'Angelo Fellmeth, an attorney with the Center for Public Interest Law at the University of San Diego School of Law, said problems at medical boards usually come to light when a panel's number of disciplinary actions are so pathetic they speak for themselves.

"That was the case in California in the late 1980s and it sounds like it's the case in Nevada now," she said.

Fellmeth noted that the number of doctors in Nevada has nearly doubled during the last 10 years, but the board's serious disciplinary actions have remained flat at about eight to 12 per year. "More bad doctors probably die of natural causes than get disciplined by your board," she said.

D'Angelo Fellmeth said consumers want medical boards to establish public protection as their highest priority.

"They know boards are dominated by the members of the very profession they regulate and so are already suspicious," she said. "They don't just want to hear boards talk about protecting the public, they want to see it in its actions."

D'Angelo Fellmeth also is the enforcement monitor for the California Board of Medicine, a position designed to oversee disciplinary actions and represent the public interest. In addition, an administrative law judge — rather than board members as in Nevada — presides over disciplinary cases brought before the California panel.

"Try to create a decision maker who has both expertise in medicine and independence from the profession," D'Angelo Fellmeth said.

Enforce existing laws. The Nevada Division of Insurance, insurance companies, courts, hospitals and the doctors themselves are supposed to report malpractice incidents and payments and hospital sanctions to the medical board. Auditors noted that "many individuals and agencies are not fulfilling their obligations to report."

The audit recommended that either a consolidated malpractice reporting system be set up in Nevada or that existing penalties be enforced for failure to report to the board under the current system. Auditors also recommended that the Nevada Division of Health enforce sanctions against medical facilities that fail to report malpractice incidents or penalties against doctors.

Include the patient who makes the complaint in the investigation of the doctor and keep complainants informed about the progress of the disciplinary case.

The newspaper's investigation showed the board neglects to interview patients who make complaints against doctors and fails to keep complainants informed about cases that can take months or years to resolve.

Review recent changes in law. Last year, Nevada law was changed to read that a doctor can be disciplined if convicted of a felony "related to the practice of medicine." That change was to prevent a doctor who had been convicted of a crime unrelated to medicine — such as income tax evasion — from losing his license. But board staff members said the change in the wording means that doctors convicted of sexual assault or murder could retain medical licenses as long as their crimes didn't involve patients.

Buckley said it should be clear to anyone that rapists and killers shouldn't be allowed to practice medicine. But the auditors and the Clark County Medical Society endorse changing the law to read that a doctor "convicted of a felony" may lose a license and remove the stipulation that the crime must be related to medicine.

Make board finances public. The auditors recommended that the full details of audits be made public and lawmakers said they want a better accounting of how the board spends its money.

Lawmakers said staffing changes at the Nevada board must be completed as quickly as possible.

State Sen. Randolph Townsend, R-Washoe, said the panel's two top staff members — Larry Lessly and Richard Legarza — have created "their own fiefdom" in the agency.

Townsend said the six doctors and three public members appointed to the board are dedicated people who donate hundreds of hours to protect Nevadans from bad medicine. But he said top board officials subvert the board's work.

"Lessly and Legarza have been there too long and they've taken it upon themselves to stop being protectors of the people of Nevada and become the guardians of their own interests," Townsend said. "That's the problem."

At the September meeting of the board, Lessly and Legarza advised the panel to ignore a new state law that allows some doctors to obtain a Nevada license if they have unique skills needed in the state but might not meet every state licensing requirement. An example would be Nevada's three-year residency rule that prevented an otherwise qualified physician from taking the state medical officer position in 2002.

Legarza told the panel that even though the law — called "licensure by endorsement" — is on the books, the board should reject all applications filed under it. He and Lessly told the board that by changing its regulations the panel could ensure they never get to the issue of licensure by endorsement, which Legarza called "ridiculous."

Townsend and Buckley said the two lawyers' willingness to circumvent the law underlines the difficulty of making changes at the panel. Townsend said as long as the board is managed by the pair, "we aren't going to get anywhere near making it more responsive to the public."

Lessly and Legarza are expected to retire this year, he said.

Hang on to advances that have been made.

Last year the Nevada panel turned back a legislative proposal to change the standard of proof for disciplinary actions from the rule used in civil court — the preponderance of evidence — to requiring "clear and compelling evidence" to sanction a doctor.

D'Angelo Fellmeth and other experts said the civil court standard now used in Nevada makes it easier for the board to prove cases against doctors. She said the "clear and compelling" standard, a step below the "beyond a reasonable doubt" rule in criminal court, is extremely hard to reach.

In addition, she said, a doctor's malpractice lawsuit settlements and judgments are public record in Nevada, but many other states restrict what malpractice information can be released to the public.

"Hang on to the things that work," D'Angelo Fellmeth said. "That's not easy. Nothing about being a medical board is easy. When change comes, it comes in baby steps and boards keep slipping back to old habits."

"You have to keep on a board to make sure it is doing the job."

RENO GAZETTE-JOURNAL

Board released confidential records

RENO GAZETTE-JOURNAL
2/15/2004 10:59 am

Although some insurance records are public, doctors' reports from the federal National Practitioner Data Bank are secret by law. Those records contain the doctor's Social Security number and other private information.

The Nevada board sent out dozens of such confidential data bank reports to doctors and others last year until Las Vegas doctors notified the panel it could face criminal charges and fines for releasing the data. Those are the penalties listed in the federal law that keeps the data bank secret.

The board stopped giving out that data but still supplies the insurance company reports. A spokeswoman for the Department of Health and Human Services, which oversees the federal data bank, said the agency hadn't gotten a complaint about the Nevada board for releasing the confidential information.

A lawmaker said the incident shows inefficiency and a lack of planning by the board's staff.

"On the one hand they keep public things secret from the public and doctors can't get information out of them about their own cases," said Sen. Ann O'Connell, R-Clark. "Then they release confidential information that they ought to know is confidential. They seem to have a dictatorial attitude and from start to finish they've been antagonistic with whomever they deal with." They are not user-friendly for the public, doctors, anyone."

Nevada medical board members and staff had no comment._

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RENO GAZETTE-JOURNAL

Solutions: Board should improve communications

Consumers shouldn't have to 'pull teeth' to get information on their doctors, Townsend says

Frank X. Mullen Jr.

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2/16/2004 02:15 am

Lawmakers, doctors, and members of the public agree on one major problem with the Nevada State Board of Medical Examiners: the panel and its staff does a terrible job of communicating with anyone outside its own offices.

"The board has a history of non-communication, rudeness and arrogance," said Sen. Ann O'Connell, R-Clark. "They need to communicate with the public, the doctors, the Legislature much better than they've been doing."

She said what little public information is available from the board is often incomplete and confusing.

An analysis of the last decade of board disciplinary records by the Reno Gazette-Journal showed that the public information the panel releases is often unclear, misleading or inaccurate. Board staff members declined to look at problems in the board's data.

Critics said the board operates in secret "for the protection of doctors."

Members of the public, lawyers, and doctors said the panel often ignores serious complaints about physicians, which are often difficult to prove, and focuses on doctors who omit negative information from their Nevada medical license applications or have already received penalties from other agencies, such as the Drug Enforcement Administration or Medicaid.

Sen. Randolph Townsend, R-Reno, said the board's top staff members have been entrenched at the panel since the mid-1980s and aren't open to change.

"It's a my way or the highway attitude with those staff people," he said. "It's an arrogance that they know what we're doing and can't be told otherwise."

"Townsend said the panel has become a bureaucracy that is reluctant to examine its methods and results. He and other lawmakers said they've received complaints from the public and from doctors that the board ignores allegations against physicians.

"My main complaint about the medical board is protecting its own interests, particularly self-preservation, rather than protecting the people of Nevada," said Dr. Frank Nemec of Las Vegas, the former president of the Nevada State Medical Association and the Clark County Medical Society. Nemec is also former chief of staff at Sunrise Hospital.

He said the panel is incommunicative with the doctors it regulates and the public it is supposed to serve.

"No matter what the complaint about the board is, they respond with a 'no comment,'" Nemec said. "That's outlandish. They are a public agency. What's wrong with them?"

Here, based on interviews with consumer advocates, doctors, regulators, and on an analysis of information available to the public from medical boards in other states, are ways to improve public disclosure and communication by the Nevada medical board:

Accessibility. Make all doctor data — including medical school, license information, lawsuit settlements/judgements, hospital privilege sanctions, disciplinary actions by other state boards and agencies, and contact information — available on the medical board's Web site and in published information.



State Sen. Randolph Townsend says the Nevada State medical Board of Examiners staff members are not open to change.

Providing an easily understandable list of doctors and disciplinary actions is the first step. Some states, such as Maine, provide an alphabetical list of doctors who have been disciplined. Arizona, Texas, Idaho and other states provide lists of disciplined doctors by date of disciplinary action, by the geographic location of the doctor's practice or by medical specialty. The annual numbers of disciplinary actions the board releases haven't matched the board's disciplinary records since 1995. That means consumers can look up raw numbers but don't know the doctors' names that those numbers represent.

In interviews with the Reno Gazette-Journal, the board's top staff members last year were adamant that there's no need for a list of disciplined doctors in Nevada, but lawmakers decided otherwise.

"We wrote the requirement for a list of disciplined doctors into law last session because we got complaints from the public, doctors, lawyers and the media about how difficult it is to look up a doctor's record," said Townsend, who spearheaded many of the medical board reform bills last session.

"We wanted people to be able to find out about a doctor without having to pull teeth to do it."

At the panel's December meeting board staffers said a list will be compiled. Experts said the Nevada board should also publish an accounting of the 1,000 complaints it receives each year, instead of just the 10 or 20 that result in board action. The board should list the general types of allegations, how they were processed, and how long those complaints took to be resolved, as many other states do.

In addition, the board should tell the public what information it has but doesn't release. Sanctions against doctors by hospitals are reported to the board but remain secret by law.

Over the last few years, legislative panels have declined to discuss making such reports public, and Gov. Kenny Guinn has said the data should remain secret because it involves personnel matters.

Yet, medical boards in California, Connecticut, Idaho, Massachusetts, Texas and other states make hospital sanctions public.

The Nevada board also declines to make public doctors' criminal convictions, board actions or malpractice payments in other states, specialty board certifications, awards, hospital residency information, financial stakes in medical businesses, and other facts of interest to consumers. Idaho, Massachusetts, and some other states publish such data.

"If (boards) are not authorized to disclose certain information or choose not to disclose it, then they should tell the public that," said Julianne D'Angelo Fellmeth, administrative director for the Center for Public Interest Law at the University of San Diego School of Law. Fellmeth is also the enforcement monitor at the California Board of Medicine.

"Tell consumers what you are not telling them," she advises medical board members. "...It's up to you to tell them what you don't disclose."

Accuracy: The Nevada board currently makes public some information about malpractice settlements and judgments, but that data often are contradicted by other sources, including the National Practitioner Data Bank, a federal flagging system set up in 1990. The law now requires the board collect data from other sources, but laws or regulations should also mandate that the panel's staff analyze and compare the information with what it has in-hand and follow up when the data don't match."

Accuracy in doctor information is essential and the board should use every resource to make sure what they have on file is accurate," O'Connell said.

Communications: Require that the board improve communications with doctors, the Legislature, the media and the public. Citizens and doctors have long complained that the board's staff doesn't follow-up on requests, fails to notify doctors of pending actions, and doesn't notify citizens as to the disposition of their complaints. Citizens who complain are routinely left out of the investigation process, according to board meeting transcripts.

Medical boards in Arizona, Virginia, Maryland and other states have public information specialists or staff members assigned to deal with media and public information issues. In a recent audit of the Nevada panel, the Federation of State Medical Boards recommended that the board hire a full-time public information specialist.

The board is considering updating its broadcast advertising, which alerts the public to the panel's existence, but the federation auditors recommended junking the \$50,000-per-year campaign. The TV and radio ads ran through 2003, and yet some board members said they hadn't seen or heard any of the more than 7,500 advertising spots prior to the December meeting. Other states, such as Texas, mandate that notices are placed in doctors' offices alerting patients to the existence of the medical board, the types of cases it handles, and contact information. Board member Donald Baepler mentioned the Texas-style

notices at a board meeting in September, but the other panel members didn't follow up on the issue. Board members later wouldn't comment about the Texas program.

In addition, the board's staff routinely refuses to speak to media representatives, and the board president either won't return phone calls or says answers have to come from the staffers who then decline comment. In the past, board staff members ignored national conferences on dealing with media inquiries because board boss Larry Lessly said the best course in dealing with reporters is "no comment," according to board meeting transcripts."

The media are the representatives of the public and when a public board refuses to talk to the media it's telling the public to go to hell," said Townsend.

"The board has the responsibility to explain its actions when those actions are a matter of public record. The problems in getting public information from this board have got to stop."

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NBC 4

Doctor Or Predator?

NBC4 Investigates Sex Offenders Practicing Medicine

POSTED: 4:11 PM PST February 5, 2004

LOS ANGELES -- Melanie Lira was 19 years old when she says she was molested by a man who her family trusted -- their doctor.

"It's a lifetime of hurt," Lira told NBC4, commenting on her experience with Dr. Thomas Tartaro.

Lira described the incident, saying that Tartaro had her "bent over the table, and him rubbing his body against mine."

Julianne D'Angelo Fellmeth, the state medical board's enforcement monitor, said other patients of Tartaro filed similar reports.


"This doctor sexually molested 24 female patients on multiple occasions over a three- to four-year period," Fellmeth explained.


Tartaro, a neurologist from El Centro, was convicted of sexual battery on a restrained victim in 1994.

He was sentenced to 90 days in jail and five years probation, suspending a four-year prison term on the condition he obey the guidelines of his probation.


The state medical board revoked the doctor's license in 1995.


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"His defense shockingly was that during that time period, he was addicted to drugs, and he was an alcoholic," Fellmeth said, adding that Tartaro was also required to register as a sex offender.

In 2001, however, the story took an unexpected turn when the state medical board allowed Tartaro to resume practicing medicine.

"Whatever I had done was in vain," Lira said of the doctor being allowed to practice medicine again.

Fellmeth outlined the conditions of Tartaro's reinstatement, noting the doctor received 10 years

probation.

"He's not allowed to have any female patients, and I believe he has to participate in the medical board's diversion program for substance-abusing physicians," Fellemeth added.

NBC4's Paul Moyer tried to talk to the doctor about the allegations, but when asked "Are you still working? Are you still practicing medicine?" Tartaro refused to answer, slamming the door.

Ron Joseph, the head of the state medical board, refused to discuss Tartaro or any other case like his, citing ongoing lawsuits against the board and Joseph, personally.

Assemblyman Rudy Bermudez, D-Norwalk, said he did not approve of the board's decision to reinstate Tartaro and other doctors facing similar allegations.

"They let Dr. Tartaro and six other registered sex offenders practice medicine in California," Bermudez said.

Bermudez ought to know.

The assemblyman wrote a bill signed into law effective this year that strips doctors who apply for a license or who hold a license to practice if they are registered sex offenders, such as Tartaro.

Moyer asked if Bermudez thinks he is on a witch hunt.

"No, it's not a witch hunt. It's a case that protects Californians," the assemblyman noted. "For right now, it's on hold."

The bill is on hold because two unidentified registered sex offenders licensed to practice medicine just recently filed separate lawsuits in federal court to block the new law. Both of the individuals refused to speak to NBC4.

However, a registered sex offender with a license to practice medicine in California did speak with Moyer about his conviction and the new law.

"Sir, this was a long time ago, but you were convicted of molesting an 11-year-old girl, an epileptic girl. You were convicted of that, correct?" Moyer asked.

"Mm-hmm," the man replied, also offering his opinion on the new law. "It does not allow for variations or degrees of culpability. You see, for example, my offense was 30 years ago."

"How can parents trust you as a pediatrician?" Moyer responded.

"I was not allowed to be a pediatrician anymore. When my license was reinstated, it had severe restrictions," the doctor said.

In the past, the medical board has revoked the licenses of at least 39 doctors who are now registered sexual offenders.

As for the new law, a court hearing is scheduled on Feb. 23.

If you or anyone you know has been molested by a doctor, contact your local police department and contact the California Medical Board at (800) 633-2322 or via their [Web site](#).

Cohn staff complains of politicking on job

Workers say assemblywoman forced them to violate law.

By KIMBERLY KINDY
THE ORANGE COUNTY REGISTER

SACRAMENTO • A series of campaign speeches and other written political strategies aimed at getting a San Jose lawmaker re-elected were created and stored on state computers by staff working on the state payroll, according to complaints filed with an Assembly committee.

State employees are forbidden by law from using taxpayer-funded resources for political campaigns and other election activities.

An e-mail sent Monday to The Orange County Register, from a computer address in Assemblywoman Rebecca Cohn's district office in San Jose, contained several campaign strategy documents and re-election speeches along with a description of staff complaints about being forced to do work that could be illegal.

It was unclear which staff members worked on the campaign documents.

Cohn acknowledged that the staff allegations are part of a workplace-conduct complaint filed against her with the Assembly Rules Committee two months ago. Cohn declined to say whether any campaign-related documents were created, edited or stored on her state computers.

"I'm prohibited by law from talking about this. It's a personnel issue," Cohn said in an interview Friday in her Capitol office. When pressed for details, Cohn said, "You need to leave now."

The investigation is ongoing, said Jon Waldie, chief administrative officer of the Rules Committee.

Several of the documents are campaign speeches that make direct appeals to audiences for their vote. In a written speech delivered April 25 to the Monterey Bay chapter of the National Women's Political Caucus, Cohn's written speech called

for her to start her closing with, "So thank you for having me here - and I ask for your help and support in this election. Although November 2004 may seem like a long way away - the hard work of any good campaign begins now."

"There needs to be a Chinese firewall there so staff doesn't help on campaigns during state time," said Robert Fellmeth, director of the Center for Public Interest Law at the University of San Diego School of Law. "If they do, it must be strictly after hours."

Staff members complained that they were forced to work from state offices because Cohn would not rent a campaign office. Her campaign Web site lists a post office box as her campaign office.

The other documents staff complained about are commonly referred to as "game plans," which are created by state staff within the Assembly Democratic Caucus. The written plans can be extensive and lay out a strategy for developing issues that lawmakers want to champion in their districts. The plans also discuss how to use those issues to leverage media coverage.

Cohn was running for the 15th District seat in the state Senate until October, when she dropped out and decided to run for a third term in the Assembly.

Last week, the San Jose Mercury News wrote about the employee complaints, focusing on staff allegations that they worked in an uncomfortable, sexually charged environment after they were ordered by Cohn to help her dress for a photo shoot for San Jose Magazine. The cover of the magazine's January edition is Cohn wearing a leopard-skin print dress.

To read campaign documents e-mailed to the Register from Cohn's office, see attachments included with the online version of the story at www.ocregister.com.

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Rebecca Cohn

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Perata bill had benefit for pal's client Recycling company hired consultant who paid senator

Christian Berthelsen, Chronicle Staff Writer

Thursday, February 26, 2004

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URL: sfgate.com/cgi-bin/article.cgi?file=/c/a/2004/02/26/MNGOR58L251.DTL



Sacramento -- When state Sen. Don Perata carried legislation last year proposing a fee on diaper sales to pay for recycling, no company stood to gain more than Knowaste LLC -- the only diaper recycling company in the nation.

But at the same time Perata introduced the bill, he was receiving personal income from a consulting firm hired by Knowaste, state records and interviews show. That firm, Staples Associates, was run by a friend and business associate of Perata who the company said it hired at the senator's recommendation.

Perata has come under scrutiny from a Senate ethics lawyer after a report by The Chronicle detailed financial ties between Perata and Timothy G. Staples, the owner of Staples Associates. Staples has been paid at least \$313,000 out of campaign committees affiliated with Perata, at the same time that Staples was paying the senator about \$100,000 per year for what the two men said were consulting fees for business development advice unrelated to Perata's government work.

Last week, Perata said he would end his business relationship with Staples after questions were raised about it. But Staples' previously unreported financial relationship with Knowaste -- and the company's direct interest in Perata's legislation -- raise new questions about whether Perata's official Senate work was influenced by his outside business dealings.

Knowaste spokeswoman Fiona Hutton said that company executives had no knowledge of the private business relationship between Perata and Staples when they retained him and that Perata did not link Knowaste's hiring of Staples with his willingness to sponsor the bill. She declined to specify what Staples' pay or duties for the company were, other than to say that it generally involved "education and outreach in Northern California" on behalf of the company.

Staples did not return telephone calls seeking comment.

Through a spokesman, Perata refused a request for an interview and would respond only to a partial list of written questions. The spokesman, Jason Kinney, said Perata did not condition his sponsoring of the diaper fee bill on Knowaste hiring Staples. Perata did not receive any money from Staples as a result of Knowaste's hiring the senator's friend, Kinney said.

"We are confident that Sen. Perata's business relationships were both legal and ethical and that every required public disclosure was made," Kinney said in a written statement. "Those who continue to fish for something more sensational are straining the limits of credulity and credibility."

No evidence has emerged of an agreement between Knowaste and Perata to carry the legislation in exchange for Knowaste hiring Staples. State and federal law prohibit lawmakers from engaging in any official act in exchange for personal gain. Additionally, state conflict-of-interest laws prohibit public officials from using their position to influence governmental actions in which they have a financial interest.

Robert Fellmeth, a professor of public interest law at the University of San Diego Law School, said that when

lawmakers earn outside income, it creates questions about the true motivations of their official duties.

"I don't like the relationships," he said. "The relationships here raise questions which we should never even have to inquire into. These people are making decisions that affect 33 million people, and \$100 billion in public money. You just don't want to have these people making decisions on anything but the merits."

Perata is known in the Capitol as a powerful lawmaker and a possible successor to Senate President Pro Tem John Burton, D-San Francisco, who will retire this year. His district includes Oakland, Alameda, Berkeley and Piedmont.

Environmentalists support efforts to divert trash from landfills, and the question of how to deal with disposable diapers has long been around. Knowaste, a small Canadian company based in Mississauga, Ontario, has developed technology for machinery that could extract the reusable materials and has then sought to market the salvaged materials for other uses, including shoe insoles, oil filters and packing material.

The company obtained a patent for its technology, and after trying out programs in small Canadian cities, sought to bring its business to the United States, selecting California as its first market. But Knowaste has had to struggle to build demand for its services in the state, for a variety of economic and policy reasons.

The company began a pilot program in Santa Clarita (Los Angeles County) after the city and state paid \$500,000 to buy one of the company's machines.

City staff reports about the program say that there were problems with costs and questions about how much material was in fact being diverted from landfill and that there was an apparent lack of demand for the recycled products, though Knowaste said buyers ultimately did come forward with offers. The city ended the pilot program in November.

But while the Santa Clarita experiment was under way, Knowaste was also seeking to expand its operations to other California cities. It approached state lawmakers asking them to carry legislation that would create revenues for cities and counties to pay for diaper recycling programs.

After Gov. Gray Davis vetoed an earlier version of the legislation by state Sen. Dede Alpert, D-Coronado (San Diego County), in 2002, Knowaste again approached legislators asking them to carry a bill. It gave a series of campaign donations to lawmakers throughout 2002, including a \$2,500 payment to Perata's campaign fund in October of that year.

Hutton, the Knowaste spokeswoman, said Knowaste retained Staples with a contract that started at the beginning of 2003, after the recommendation of Perata and Knowaste's own lobbyist, Alan Edelstein, whom she said had worked with Staples in the past. Edelstein would not take a reporter's phone call last week.

The bill would have imposed a quarter-cent fee on the sale of disposable diapers, and made that money -- estimated at \$11 million per year -- available to cities and counties to pay for diaper recycling. It was expected to cost parents or caretakers \$15 to \$20 for each child or adult over the life of their diaper use.

The bill was amended four times. Because the bill was unpopular with parents -- it became known as the "diaper tax" -- the cost burden was shifted from the purchaser to the manufacturer. The final version took away the fee provisions entirely, but still would have required diaper manufacturers to find a way to divert their used products from landfill.

Perata withdrew the measure in May -- without it having been given a hearing in a Senate committee -- after the bill was criticized for allegedly benefiting only one company, which had given Perata a political donation before he wrote it, and because the fee concept was unpopular.

It appears that Staples' duties for Knowaste were to visit with recycling and waste management officials in various East Bay cities and make them aware of Knowaste's services. Hutton, the company spokeswoman, said that Staples did a good job on behalf of Knowaste and that he continued to represent it even after the bill died. His contract with Knowaste ended in December, she said.

Perata has acknowledged that during that same time Staples paid him around \$100,000 per year. Both men have described the payments as consulting fees for business development unrelated to Perata's work in the Senate.

State records show that Staples began paying money to Perata through his consulting firm, Perata Engineering, in 2000 -- the same year Staples began receiving payments for political work from campaign committees affiliated with Perata.

They included regional transit measures, including Regional Measure 2, the Bay Area bridge toll increase on Tuesday's ballot, as well as a statewide measure easing term limits on legislators.

The Senate ethics inquiry of Perata's business dealings is being conducted confidentially. Kinney, Perata's spokesman, said the lawyer conducting the inquiry has not concluded her work.

E-mail Christian Berthelsen at cberthelsen@sfgchronicle.com.

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Bar association rates candidates for Superior Court judge

FRONT PAGE

4154 By CATHERINE
MACRAE HOCKMUTH
The Daily Transcript

SAN DIEGO — The San Diego County Bar Association last week released ratings for nine candidates seeking three judicial positions on San Diego's Superior Court in the March 2 primary election.

The bar's Judicial Election Evaluation Committee determines the ratings after a month of investigation and confidential interviews with the candidates and others familiar with their legal practices. The process is secretive and committee members are not allowed to discuss the results or process with anyone. The goal is to give voters information about candidates on the ballot who may not have public records or experience.

Candidates are given one of four ratings: well qualified, qualified, lacking qualifications, or unable to evaluate.

According to bar President Tom Warwick, the evaluation process begins after candidates declare plans to run. Warwick is an ad hoc member of the 20-person committee, but does not vote on the ratings.

The bar then sends candidates a two-page questionnaire regarding their professional

experience and asks for references familiar with their work in the last two years. Candidates are asked to supply the names of 10 judges before whom they've tried cases and 15 attorneys with whom they've handled cases, particularly names of opposing counsel. Sitting judges running for re-election are asked to provide the names of 20 attorneys who have tried cases in their court.

Candidates are also asked whether they've been charged with or convicted of a crime, disciplined or cited for a breach of ethics or unprofessional conduct, and whether they suffer from mental, emotional or physical problems that could affect their ability to sit daily in a trial court.

The process raises a simple question for voters: What exactly makes a good judge? Answering the question is not so easy, according to people familiar with the process.

Judicial temperament tops the list of qualities included on a separate questionnaire sent to all members of the bar association as well as judges and attorneys who have worked with a particular candidate. Respondents are asked to rate candi-

See **Bar association** on 5A

Continued from Page 1A

dates in each area on a scale ranging from "exceptional" to "unsatisfactory" and "unknown." Other qualities on the list are "intellect and ability," "professional reputation," and "fairness and objectivity." The questionnaires are confidential and include additional space for written comments.

Paul Horton, a professor at the University of San Diego School of Law, said the process is similar to the system used by the governor's office in evaluating applicants for judicial appointments and the American Bar Association to evaluate candidates for the federal bench.

Most judges in the state of California are appointed by the governor and then have to run for re-election. Judges who are not opposed in an election are not placed on the ballot.

Only two of the candidates in next month's election are sitting judges running to keep their positions. Judge Kevin Enright was appointed to Superior Court office No. 5 in 1997. His opponent is San Diego attorney James McMillan. Coronado-based trial lawyer Robert Plumb, who specializes in family law, is contesting Judge Robert Coates' position in office 8.

Plumb was interviewed by four members of the committee who he said represented a diverse set of legal perspectives, including criminal and civil law.

"They were very thorough in asking all sorts of questions, including things that they thought were judicial in merit like temperament," Plumb said Wednesday.

Meanwhile, four attorneys are running for office No. 24. Among them is Del Mar consumer rights attorney Lisa Laqua, who was the only one of all nine candidates for judicial office identified as lacking in qualifications.

The category is defined as lacking one or more of the "essential abilities or skills to satisfactorily perform the judicial function."

Laqua, a graduate of USD School of Law, was admitted to the California state bar in 1989. She believes the rating is inaccurate.

"I think I'd be a really good judge," Laqua said Friday. "I've got a very good judicial temperament. I'm very fair."

Laqua also accused the committee of asking an "inappropriate" question during her interview. She said she was asked to respond to an anonymous comment that she has sex with judges to get "favorable rulings." After the meeting Laqua said she felt there was "no way" she would receive a qualified rating if this

question lingered on any member's mind.

Bar President Warwick said he was not present during Laqua's interview. However, rules governing the evaluation process require committee members to notify candidates of any "credible negative" information that has been presented. "Under the rules, if somebody sent in a questionnaire and raised this particular issue, it is wholly appropriate to at least address the question with the candidate," Warwick said. "Whether that happened or not, I have no idea."

Laqua's allegation highlights the difficulty the committee faces in rating candidates and informing the public without giving away its sources.

Attorney Edward Peckham, one of Laqua's opponents for seat 24, said it might be helpful if the committee supplied more explanation about its ratings beyond generic descriptions. For example, he said, when you look up ratings for Hollywood movies, it is easy to see why a film has been rated "R" because the rating includes a list of contents such as nudity, violence or foul language. "I think that's important," he said.

Important perhaps, but easier said than done, according to Warwick. "Would it be possible for us to write maybe a couple hundred word sentence explaining something?" he asked. "It is possible, but as you might imagine, it would be exceedingly difficult because anything the committee receives by way of information is confidential and they are not allowed to disclose anything that is told to them."

Warwick said the bar believes it is more important to get as much "meaningful" information on a candidate as is available.

"It would be very, very difficult to give any meaningful description that would reflect the committee's viewpoints without in some way indicating the information or the factors that you relied upon," Warwick said. "And so therefore it would destroy the committee's ability to function because nobody's going to talk to the committee if you're going to put it out in the public."

Peckham said Wednesday he thought the committee handled adverse information fairly.

Whether the ratings are helpful to voters is unclear, said USD's Horton. He said much depends on whether voters consider the bar's members experts or whether its members are greeted with "suspicion."

"It would be fun to do the empirical study whether a finding of 'qualified' helps a candidate and whether a finding of 'not particularly well qualified' hurts a

candidate in these elections," Horton said. "It could have exactly the opposite effect for all I know."

Horton said plenty of judicial candidates and appointees have been declared unqualified by professional associations only to become perfectly fine judges.

"Measuring the qualities of what it takes to be a judge when that person hasn't been a judge sometimes may be a much more difficult undertaking than most people would guess," he said. There are lots of excellent lawyers who are fairly brash and outspoken and aggressive — all qualities that probably we don't associate with being a good judge — who become judges and in a short period of time actually end up becoming very good judges, sort of putting aside that part of their personality."

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CANDIDATES FOR SAN DIEGO CITY ATTORNEY

LESLIE DEVANEY

QUESTION: What would your top priority as city attorney be?

ANSWER: My top priority would be to have open government. I believe passionately that that is missing from government right now, and I believe the city attorney can play a significant role to see that happen. There's a reason why the city attorney is elected in San Diego. I believe one of the main reasons is that the city attorney needs to articulate legal positions openly so that the public can view and judge those legal opinions. And that they can hold their elected officials accountable. I believe that has not happened enough so far. Under John Witt, it was very legal, tight attorneys who basically told it like they saw it and stood up to the mayor and council if they kind of ran astray or amok. And that was good. Casey (Gwinn) came in and added another element that I did believe in and that was proactive lawyering. There's nothing wrong with that in and of itself but when you come proactive privately to the mayor and council, I firmly believe that we have left out the public. We need to swing it to a place where we're accountable to the public. So that's my number one priority.

About the candidates



Leslie Devaney

Age: 44

Childhood: San Diego

Education: Patrick Henry High, UC San Diego, University of San Diego

Public service: Two stretches in city attorney's office, currently second in command; active in Youth Access to Alcohol and Home-stays USA

Private sector: Managed San Diego office for high-risk insurance company

Trivia: Guest model for 2003 Soroptimist luncheon

Close-Up

Know when to hold 'em

USD law grad uses
relationship marketing
to draw customers to
Valley Center casino

By TIM COFFEY
The Daily Transcript

VALLEY CENTER — For what job would you qualify with a law degree and three years at the Nevada Attorney General's office?

General manager of an Indian casino in San Diego County, of course.

At least that's how it worked out for Janet Beronio, senior vice president and general manager of Harrah's Rincon Casino & Resort near Valley Center.

Beronio dealt cards during summers and extended breaks during law school at the University of San Diego. She made enough to cover tuition, books and some expenses.

After several years representing the state of Nevada, she rejoined **Harrah's Entertainment Inc.** (NYSE: HET) as a corporate attorney in 1984. Ten years later, with a handful of management positions under her belt, Beronio was tapped general manager of Harrah's Phoenix Ak-Chin, the company's first Indian gaming property.

In August she became general manager of Harrah's Rincon casino, a prominent local gaming site that is also going through a massive expansion.

"I liked the business and the company a lot," Beronio said of her career change.

Nestled in the valley floor of Rincon Reservation along the San



Janet Beronio

Luis Rey River outside Valley Center, the casino stands out from the blackened skeletons of bushes scorched in October's wildfires and plantations of trees on plateaus above.

Two construction cranes tower hundreds of feet above the casino — the cranes' operator cabs can be seen above a hill that hides the casino from Valley Center Road — marking the future location of the largest hotel in North County. The hotel will be 21 stories with 650 rooms. It is scheduled for completion in December.

The casino, owned by the Rincon San Luiseno Band of Mission Indians, was one of the first gaming facilities to open in North County in 2001. Rincon hired Harrah's to manage the casino in August 2002.

Inside the casino there is nothing extraordinarily different from other casinos — it has card tables and hundreds of slot machines. Even Beronio acknowledges the differen-

See **Beronio** on 4A

Beronio

Continued from Page 1A

tiating factor among competitors is not the gaming facilities.

"It's more the overall experience than the product itself," she said.

Indeed, Harrah's Rincon has a well-established bus operation. The casino charters tour buses to transport customers to and from the casino, traveling as far as northern Los Angeles County.

Beronio and Marty Goldman, vice president of marketing, both claim the buses enhance the casino experience. The buses also help overcome the casino's remote location — it's 22 miles southeast of Temecula and 15 miles northeast of Escondido — and the rural roads leading there.

Managing a gaming facility that is "location disadvantaged," as Beronio puts it, is nothing new to her; the Arizona casino was the same way.

Located 17 miles outside Phoenix, Harrah's Ak-Chin is far from the urban market and requires visitors to pass a competitor's casino. Harrah's Rincon is 4 miles east of competitor **Valley View Casino**.

At Ak-Chin, Beronio perfected the marketing philosophy she uses now.

"It was a challenge to get (customers) in the first time and second time, but as we begin to build relationships with them and they know us and we know them, our company as a whole becomes very successful in getting customers to come back," she said. "That's the business philosophy. We're not mass marketers. We build all our marketing around finding customers and getting them to come back."

Harrah's Entertainment, the Las Vegas-based business that runs

self-branded casinos, hired Beronio as a corporate lawyer to handle legal, government and risk management cases for Harrah's gaming properties in northern Nevada.

Soon after she was placed in administrative and management positions that culminated in her appointment as head of Harrah's Ak-Chin during its development phase. Beronio's previous jobs included construction project manager and manager of human resources at the same South Lake Tahoe casino at which she dealt cards during law school.

"At that time they let attorneys do a lot of different things," Beronio said. "They've since changed that."

The Kentucky native graduated with a bachelor's in political science from the University of Maryland. She worked for the hotel chain **Marriott International** (NYSE: MAR) for six years before law school.

When the Rincon Indians hired Harrah's, the band's casino was nothing more than a small bingo hall. With Harrah's, which now manages the entire operation, the Rincon casino is on track to become a Las Vegas-style resort. The new construction includes a theater for Nevada-style shows.

"Southern California is the No. 1 feeder market for Las Vegas," Goldman said.

Harrah's also leverages its wider gaming network, which includes dozens of casinos and riverboats and other managed properties, to promote Harrah's Total Rewards. The promotions program enables customers to redeem previously received awards at all Harrah's locations from Rincon Reservation to Las Vegas.

Casino operations have become more sophisticated in the last

decade with the influx of gaming riverboats and Indian casinos. In fact, most casinos can track the number of blackjack hands dealt at a given table and compare them to how many should have been dealt.

That ability transfers to casinos being able to follow customer patterns, enhancing the relationship marketing Harrah's Rincon depends on.

How the casino tracks hands dealt is proprietary, and Beronio wouldn't discuss revenues for Harrah's Rincon.

However, Harrah's has done well managing the Rincon casino. In the company's financials for the third

quarter ended Sept. 31, the most recent available, Harrah's said revenues from managed casinos — Harrah's Rincon is one of four sites — was \$21.1 million, up \$4 million from the same quarter a year ago. Harrah's said the increase was due "to the inclusion of management fees" from the Rincon casino.

While Beronio now utilizes her on-the-job experience far more than her law degree, she admits to every now and again being seduced by the fine print of a legal contract.

"Now I'm probably paying more attention to the issues that might get us in trouble," she said.

tim.coffey@sddt.com

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Press Release

Source: Cooley Godward LLP

Cooley Godward Continues to Strengthen San Diego Litigation Practice - Adds Securities Litigation and White Collar Defense Expert Michael Attanasio to San Diego Litigation Practice

Tuesday February 3, 1:50 pm ET

SAN DIEGO, Feb. 3 /PRNewswire/ -- Cooley Godward LLP announced today that Michael A. Attanasio will join the firm's San Diego office as a partner in the Litigation Department. Attanasio will focus his practice on securities litigation, government investigations and white collar defense. Attanasio spent eight years with the United States Department of Justice's Public Integrity Section where he prosecuted cases throughout the country and instructed Assistant U.S. Attorneys on the intricacies of public corruption prosecutions.

"We are delighted to welcome Mike to our firm," said Fred Muto, partner-in-charge of Cooley's San Diego Office. "Mike brings a powerful combination of experience from his time at the Department of Justice to his more recent work in securities litigation. His proven track record of representing clients during government investigations and white collar prosecutions, and his deep expertise in government, regulatory and criminal investigations will make him a valuable member of our Securities Litigation practice."

William E. Grauer, Chairman of San Diego's Litigation group and also a former federal prosecutor, said: "During the past five years, Cooley has emerged as the premier litigation group in San Diego for securities, complex commercial and intellectual property litigation. The addition of Mike exemplifies Cooley's preeminence in these areas."

Previously, Attanasio was a partner at Luce, Forward, Hamilton and Scripps, where he successfully resolved numerous cases on behalf of white collar clients who were either targets or subjects of government investigations. Attanasio was recognized in 2003 as one of San Diego's "40 Under 40" by San Diego Metropolitan Magazine. He is currently an adjunct professor of law at University of San Diego where he teaches an upper-level course in white collar and corporate criminal law. He received a J.D. from Stanford Law School and a B.A. from Princeton University.

Cooley Godward LLP is an established provider of strategic litigation and business transaction services and a recognized leader in the representation of high-growth private and public companies, venture capital firms and nonprofit organizations. Founded in 1920, Cooley Godward is headquartered in Palo Alto, California, and has approximately 500 attorneys nationwide with affiliates throughout Europe and Asia. For additional information: www.cooley.com.

Source: Cooley Godward LLP

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More info:
No additional info available.

Posted: 3 Feb 2004 Genre: Industry
By: News Desk

Corporate Consolidation For Roxio

The corporate functions and senior management teams of Roxio and Napster will be consolidating into Napster's offices in Los Angeles. Roxio's Chairman and CEO Chris Gorog commented, "Since launch, Napster has quickly established itself as one of the top two leading services in digital music and it is now time that we turn our attention to a centralization of our organisation after our acquisition of Pressplay last year. We believe Napster will be a very significant contributor to Roxio's future and headquartering the company in the center of the entertainment industry should prove advantageous. Roxio's digital media software division will continue to be managed by Tom Shea in our Silicon Valley offices in Santa Clara. We believe these changes will make Roxio and Napster more productive and efficient organisations."

As part of the re-alignment, Brad Duea, Roxio's Head of Worldwide Business Development will become Napster's new President, a position previously held by New York-based Mike Bebel who will be winding down his duties after a transitional period while assisting in the consolidation to Los Angeles.

Laura Goldberg will be relocating to Los Angeles in the role of Napster's Chief Operating Officer. Los Angeles-based Glenn Kaino will continue leading all creative activities and music programming as Napster's Chief Creative Officer. The balance of the Napster senior staff will remain in place and will report to Duea in Los Angeles. Duea's new position is effective immediately and he will continue reporting to Chris Gorog. Brad Duea joined the Company in February 2001, as VP, Business Development.

Since joining Roxio, Duea has played an integral role in Roxio's entry into the online music business, including structuring agreements with major record labels and serving as a key member of the transaction team in the acquisition of Pressplay from Universal Music and Sony Music Entertainment. Duea has also been leading Napster's strategic partnering efforts on a global basis.

Prior to joining Roxio, Duea served as the Vice President, Corporate Development, for PeopleSupport, Inc. and has also served as a corporate lawyer with the law firm O'Melveny & Myers LLP, where he worked on entertainment-related joint ventures, partnerships, financings, and mergers and acquisitions. Duea holds a Juris Doctor degree, Magna Cum Laude, from the University of San Diego, a Master of Business Administration degree in Finance and International Business, Beta Gamma Sigma, from the University of Southern California, and a Bachelor of Arts degree in Law and Society, High Honors, from University of California at Santa Barbara.

"Brad has made significant contributions to the strategic development and management of Roxio and Napster and we are confident he will have a very positive impact helping manage this rapidly growing business," said Mr. Gorog.

I look forward to working very closely with Brad, Laura and Glenn as we continue building the biggest brand in online music."

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Congress debates solutions to

FRONT PAGE

4154 Univ. of San Diego
\$650 million proposed for prosecution, intervention

crimes of youth gangs

By Michael Collins

collinsm@shns.com

WASHINGTON — To Sgt. Mike De Los Santos, it's a no-brainer: Young gang members who commit violent crimes like adults should be tried as adults in court.

"A lot of these young juveniles are gang members who feel like because of their young age, they are not going to be prosecuted as if they are adults," said De Los Santos, who works in the gang unit of the Ventura County Sheriff's Department.

But Marc Schindler argues that treating juvenile offenders like adults isn't the answer.

"If we really were serious about preventing young people from going into gangs and intervening in their lives in a positive way, we would invest in the

types of programs we know work for young people," said Schindler, staff attorney for the Youth Law Center in Washington. "We would provide mentoring. We would provide jobs. We would provide better educational opportunities. That would be where the focus would be."

What to do with a kid in trouble with the law is at the

heart of a debate over legislation in Congress that takes a get-tough approach to gangs and gang activity.

The bill, filed by Sens. Dianne Feinstein, D-Calif., and Orrin Hatch, R-Utah, would authorize \$450 million over the next five years to assist federal,

See YOUTH on A7

VENTURA COUNTY STAR (CAMARILLO)

VENTURA, CA
FRIDAY 12,136
JAN 23 2004

VENTURA COUNTY STAR (SIMI VALLEY)

SIMI VALLEY, CA
FRIDAY 109,361
JAN 23 2004

VENTURA COUNTY STAR (MOORPARK)

MOORPARK, CA
FRIDAY 3,164
JAN 23 2004

VENTURA COUNTY STAR (THOUSAND OAKS)

THOUSAND OAKS, CA
FRIDAY 16,000
JAN 23 2004

VENTURA COUNTY STAR (OXNARD)

OXNARD, CA
FRIDAY 18,690
JAN 23 2004

VENTURA COUNTY STAR (VENTURA EDITION)

VENTURA, CA
FRIDAY 94,465
JAN 23 2004

Critics say bill doesn't address gang problem

YOUTH

From A1

state and local law enforcement efforts against violent gangs and an additional \$200 million for intervention and prevention programs for at-risk youth.

The measure also would increase the penalties for the most serious gang crimes, make it easier to transfer juveniles from state courts to federal courts and make it a federal crime to recruit people to join a criminal street gang.

The legislation comes on the heels of a particularly violent year in Ventura County. Forty-one homicides were reported in the county last year. In Oxnard alone, 22 people were killed during the past year, the most since 1979. Authorities say nine of those were the victims of gang violence.

Money for police, prosecutors

Feinstein and other supporters say the federal legislation — known as the Gang Prevention and Effective Deterrence Act — would better equip prosecutors and law enforcement agencies to fight gang violence.

The legislation has the backing of several law enforcement groups, including the California District Attorneys Association,

the National Association of Police Organizations and the National Major Gang Task Force, a consortium of correctional and law enforcement agencies specializing in gang activity.

"I believe the federal government must be an active partner in the fight against gang violence by giving police and prosecutors better tools and resources to combat the most dangerous, sophisticated and mobile gangs in the country and by providing the money and framework needed to help keep young people out of gangs in the first place," Feinstein said.

But youth advocacy groups and civil rights organizations oppose the bill and say that it doesn't get at the crux of the problem. Overall, juvenile homicides are on the decline, raising questions about the timing of the legislation, they say.

"(Feinstein) ought to basically scrap this bill and start from scratch," said Robert Fellmeth, a former prosecutor who is now executive director of the Children's Advocacy Institute at the University of San Diego Law School. "This is a PR bill. It's a bill designed to get some press releases and press attention and give the feeling that this senator is really on top of the problem

"If we really were serious about preventing young people from going into gangs and intervening in their lives in a positive way, we would invest in the types of programs we know work for young people. We would provide mentoring. We would provide jobs. We would provide better educational opportunities. That would be where the focus would be."

Marc Schindler, staff attorney for the Youth Law Center in Washington, who disagrees with bill

and is going after it."

Opponents say one of the most disturbing aspects of the bill is that it would lower the age at which juveniles could be tried as adults in the federal court system. Currently, that age is 17; under the legislation, it would be lowered to 16.

Another concern is a provision that allows a juvenile to be transferred from state to federal courts for any crime if prosecutors can show that the federal government has a strong interest in the case.

Schindler said research shows that approach doesn't work. Juveniles prosecuted as adults are more likely to be attacked or raped in prison and

are more likely to commit serious crimes once they are released, he said.

Opponents also are concerned that the bill creates a new federal offense when three or more people work together to commit gang crimes, such as murder, kidnapping, robbery or arson. The bill also makes it a federal offense, with a maximum 10-year prison sentence, to recruit someone into a street gang. Critics say that would be problematic and difficult to enforce.

Defining a gang

"How do you establish what is a gang?" asked Jesselyn McCurdy, legislative counsel for the America Civil Liberties Union's

office in Washington. "Does a loose-knit group of friends end up being associated as a gang?"

Even some police officers who agree with the intent of the law question whether it would be effective.

Santa Paula Police Chief Bob Gonzales said transferring juvenile gang members from state to federal courts might seem like a good idea but could create problems for smaller departments. Santa Paula officers would have to travel to federal court in Los Angeles to testify in such cases, a time-consuming exercise that could take officers off the street and cause manpower shortages, he said.

Gonzales also questioned whether smaller departments would see any of the federal money that would be made available to help communities fight gang activity.

"We are so far down on the chow line that it's going to be minuscule to us in Santa Paula," he said. "If you add matching funds, we can't do it. So is there really any impact to us? No. It's difficult for a small community, because if you don't have the capital to deal with, we are out the money and out of the program. We don't have the resources."

Oxnard Police Cmdr. Scott Whitney, whose unit investigates reports of gang activity, said the legislation could help police departments fight gang crime and put gang members behind bars.

"We would definitely look forward to any additional new laws that we could use to prosecute gang members," Whitney said. "That is definitely one of the ways we keep gang crime down, particularly violent gang crime. Clearly there is a need for intervention and prevention programs. There's not enough money there now that is going toward those efforts, so any additional funding in that area would help."

De Los Santos, of the Ventura County Sheriff's Department, said he believes the legislation would help local efforts to fight gang activity. But, he said, that alone won't be enough. The community, the church, the parents — all have roles and need to get involved, he said.

"There is where sometimes it sort of falls through," De Los Santos said. "People just sort of throw up their hands and say, 'It isn't our issue.' But we really all need to come together, because it isn't going to be resolved if you don't."

New talks set in bitter strike

FRONT PAGE

4154 San Diego U. School of Law
SUPERMARKETS: With negotiations about to resume, many say workers may have underestimated grocers' resolve.

By Mike Freeman and Penni Crabtree
COPLEY NEWS SERVICE

By traditional measures, the Southern California grocery strike would seem to be going well for the United Food and Commercial Workers union. Most customers have honored picket lines, strikers have held fast, and the union has inflicted financial damage on

the three supermarket chains — Albertsons, Safeway-owned Vons and Kroger's Ralphs, which have lost combined sales of \$1 billion because of the fight.

The two sides are set to resume talks Wednesday for the first time since Dec. 19, but after 122 days in an increasingly bitter standoff, the end of the dispute doesn't seem much closer than it was Oct. 11, when the strike began. Labor experts point to several reasons why the battle has lasted so long. Ultimately, however, they say the group of seven Southern California UFCW locals tackled the regional dispute like a backyard fight

— only to find themselves outmaneuvered by three megacorporations with a broader, nationwide agenda.

"The union in this instance underestimated the commitment on the part of the supermarkets to drastically alter the labor relations scenario," said Kent Wong, director of the UCLA Center for Labor Research and Education. "It was taken by surprise by just how fierce and how willing the chains were to risk hundreds of millions of dollars in profits, and their reputations, to bust the union and drastically drive down labor costs."

While the fight is far from over — the AFL-

CIO entered the fray last month to expand the conflict nationally — labor experts say grocers have enjoyed the upper hand.

A call last week by the UFCW for arbitration, which the supermarket chains flatly rejected, was viewed by some labor experts as a sign that the union's resolve could be weakening.

The outcome of the Southern California dispute could have major ramifications as the chains look for contract concessions in other parts of the country. Grocery contracts

B STRIKE/A10

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
SUNDAY 444,899
FEB 8 2004

DAILY BREEZE

TORRANCE, CA
TUESDAY 73,927
FEB 10 2004

STRIKE: Some believe the union misjudged the supermarket chains' willingness to sacrifice

FROM PAGE A1

in several cities, including Denver, Chicago and Las Vegas, expire in coming weeks.

Some labor and legal experts say the union's strategy has been marred by miscalculations, most notably a failure to grasp just how much business the supermarket chains were willing to sacrifice in hopes of changing the salary and benefits structure of the unionized grocery industry.

The supermarkets say they're taking such a hard line because they have to prepare for the entry in California of nonunion retail behemoth Wal-Mart, which offers clerks far less in salary and benefits.

Although Southern California union leaders say they knew the grocers would play rough, they also apparently misjudged the supermarket chains' determination to stick to their demands and weather a long strike.

"We knew what they were trying to do, but did we expect they'd be prepared to lose as much as \$2 billion?" said Barbara Maynard, a spokeswoman for UFCW Local 1442. "Not entirely, but would we have changed strategies? I don't think so. You just keep fighting for as long as it takes."

The strike and lockout, which involves 70,000 workers and 860 stores, has become one of the longest supermarket labor disputes in U.S. history. The union struck

Vons on Oct. 11, and Albertsons and Ralphs then locked out their workers.

An early indication of just how serious the supermarkets were came in mid-November, when it was made public that the chains had made a pact before negotiations started to share revenue if there was a strike.

"No one really knows what the resolve is on the other side unless there are these donnybrooks," said Richard Paul, an employment law attorney and professor of employment law at the University of San Diego Law School. "But one can't miss the message that the revenue-sharing agreement sent about the determination of management."

A tougher tactic

The union didn't miss the message. Within days of the supermarket agreement being made public, the UFCW pulled out its big gun. It began picketing grocery distribution centers. That resulted in Teamster drivers and warehouse workers walking off their jobs.

In past labor disputes, the UFCW has relied on the Teamsters to disrupt deliveries and bring supermarkets back to the table. This time, though the action caused product shortages at supermarkets, the grocers didn't budge. In a gesture of good will, the UFCW pulled its pickets and allowed the Teamsters to return to their jobs in late Decem-

ber after about a month off work.

The chains remained unmoved, and in December turned down concessions the union said were worth upward of \$500 million over the next three years without making a counteroffer.

According to labor experts, the hard-line stance highlights a key advantage for supermarkets — the ability to bring nationwide resources to bear against a regional foe.

"The problem from the union point of view is you have all 70,000 workers out, but from the employers' side, it's only a small portion of your operation that's paralyzed," said Harley Shaiken, a professor at the University of California, Berkeley who specializes in labor issues.

Some analysts said the union was too slow to communicate its side of the issues to the public, particularly in the early stages of the strike.

Meanwhile, the supermarket chains managed to trivialize the union's stance as a refusal to take on a little out-of-pocket expense for their medical care, said some observers.

Frank Stickler, a professor of history and coordinator of labor studies at California State University, Dominguez Hills said both sides fell short of anticipating the resolve of their counterparts.

"I think both sides certainly miscalculated the determination of each side," Stickler said. "I

generally come from the union side, but they grievously underestimated the management side. It's not the friendly California grocer anymore. It's a huge conglomerate they're dealing with and they probably needed to develop some fresher tactics."

Union officials say the supermarkets profits have increased 91 percent in the past three years. However, grocery stores make their money at a much slower pace than, say, computer chip makers or even furniture sellers.

Profit margins are only 2 percent to 3 percent of sales, giving them an advantage in the strike.

"Grocers make a ton of money but they make it slowly, and that means they also lose money slowly during a strike," said Marcus Widenor, assistant professor at the University of Oregon's Labor Education and Research Center.

But a spokesman for Ralphs said the chains need to be prepared for tough competition from chains like Wal-Mart, that offer even fewer benefits.

"The unions have failed to recognize that we need relief in our cost of health-care insurance if we are to remain viable companies,

especially in the face of emerging low-cost competitors," Terry O'Neil said.

The remaining wild card in this fight is the AFL-CIO, which is mobilizing a national campaign. Already, the umbrella organization for American labor is launching efforts against grocers in six metro areas, including Northern California; Baltimore; Philadelphia; Washington; and Seattle.

But organizing nationwide labor actions takes time, Widenor said. After such a long strike, he wonders if UFCW locals remain resolved.

'Started too late'

"The danger here is the effort started too late," he said. "It's not clear how long people are willing to take a strike."

Joseph Uehlein, director of strategic campaigns for the AFL-CIO, said the organization has a long history of nationwide campaigns. A decade ago, it orchestrated a 20-month battle against Swiss-owned Ravenswood Aluminum Co. in West Virginia that involved actions in 22 countries.

"We won that," Uehlein said. "We won with the Boeing engineers three years ago when nobody said

we could win. Our history has been full of examples of where we've been declared dead and won, and I'm afraid there's a little bit of that in this situation."

But all sides are eager for Wednesday. Federal mediator Peter J. Hurtgen called the sides together for the first time in nearly two months, something he would not have done if he didn't think he could accomplish something.

"Based on my discussions with the parties, I believe we've reached a point where there is some potential for progress on the key issues," he said in a statement. "I'm hopeful that with this next round of talks that we can move the process forward."

PROMOTIONS & HIRES



Pete Schaer



Richard W. Henderson



Timothy J. Hoekstra



R. Kirk Brewer



Robert C. Venberg

Communications

Pete Schaer has been promoted from art director to senior art director for **E.B. Lane Marketing Communications**. Schaer will be responsible for developing brand strategies, maintaining image consistency for agency clients and will guide and oversee the company's creative designers.

AZ Communications Group and VIP Events & Adventures of Tempe have hired **David R. Landau**. Landau will contribute to AZ Communications Group's marketing projects for municipalities and tourism groups across the state. He will also provide VIP with event management and coordination throughout the Valley.

Marcos Najera has been promoted to creative director for **Phoenix's education channel, know99 Television**. Najera has more than 10 years of broadcasting and journalism experience and previously served as the acting creative director. He earned his B.A. from Stanford University and M.A. from the Stanford's Graduate School of Education.

KFNX 1100 AM radio station Cave Creek/Phoenix has hired **Mike Barna** as vice president and general manager. Barna has more than 25 years of radio industry experience and plans to build the station into a news-talk entertainment station that will feature local programming.

Finance

Camelback Community Bank has hired **Timothy J. Hoekstra** as vice president and commercial loan officer. He has more than 12 years of banking experience and specializes in commercial lending. He previously was with LaSalle Bank in Chicago.

R. Kirk Brewer has been hired as sales manager for the southeast district for **M&I Bank**, Arizona region. Brewer will be responsible for overseeing the mortgage sales operation for Ahwatukee, Chandler and Gil-

bert. He has been with the bank since 2001. **Alliance Bank of Arizona** has hired **Kelly Conner** as vice president of professional and executive banking. Conner will be responsible for business development, home equity lines of credit and assisting customers.

Jane Pupilava has been hired as wealth-management specialist for **Wells Fargo Private Client Services**. Pupilava has more than 13 years of financial services experience and will work with customers in the areas of estate planning, trust administration, charitable giving, stock diversification, stock-option planning and asset-allocation modeling.

Water Infrastructure Finance Authority of Arizona has hired **Jay R. Spector** as executive director. Spector will lead the independent state agency charged with administration of Arizona's revolving funds for infrastructure construction projects. He previously was director of intergovernmental affairs and outreach for the state Department of Environmental Quality.

Real Estate

Robert C. Venberg has been promoted from senior vice president to executive vice president of operations with **Brown Family Communities**. Venberg earned his B.A. in business management from Arizona State University and his juris doctor from the University of San Diego School of Law.

Mark Taylor Realty has hired **Michelle Crisantes** as Realtor. Crisantes has three years of real estate experience with CB Success. She earned her juris doctor from Pepperdine University and practiced real estate law representing builders and commercial companies in commercial real estate projects.

Send submissions to Promotions and Hires, 200 E. Van Buren St., NM19, Phoenix, AZ 85004; fax to (602) 444-8044; or e-mail to business@arizonarepublic.com.

ARIZONA REPUBLIC
PHOENIX, AZ
MONDAY
FEB 16 2004
486, 131

Six vying for Assembly seat

ELECTION: The GOP hopefuls, who've never held office, are in a race in the 63rd District.

4154
BY JIM MILLER
SACRAMENTO BUREAU
450

Just two years after the seat changed hands, the Inland area's 63rd Assembly District again is up for grabs in a spirited primary race.

Six Republicans are vying to represent more than 423,000 people who live within its

boundaries. The barbell-shaped district loops from Rancho Cucamonga and Upland down through part of San Bernardino to Redlands, where it drops to catch a slice of Riverside and Moreno Valley. At one point, the district narrows to less than a mile wide.

Already, hundreds of thousands of dollars have been pumped into the contest, with the three biggest spenders Elia Pirozzi of Rancho Cucamonga, Bill Emmerson of Redlands and Mike Morrell of Rancho Cucamonga. Independent expendi-



ture groups, notably the California Dental Association, also have poured money into the race.

But a trio of more frugal candidates — Geoff Lyon of Rancho Cucamonga, Sylvia Ann Robles of Grand Terrace and Sam Stavros of Rancho Cucamonga — also believe they have a chance. They cite a post-recall atmosphere and surveys that show voters are fed up with politics as usual.

None of the candidates has

held public office. And the contenders acknowledge that they generally share the same philosophy of smaller government, reforming workers' compensation and support for Gov. Schwarzenegger.

Among the main candidates, though, the campaign has evolved into one of trying to create name identification mixed with political hit pieces.

Pirozzi and Emmerson have exchanged mailers attacking each other, while Morrell insists he is trying to stay above the fray.

"It's a real family feud," said political analyst Allan Hoffenblum, a GOP consultant.

Whoever wins March 2 is the clear favorite to win in November. Republicans outnumber Democrats by almost 24,000 in the district, according to the latest voter registration figures. The winner would join an Assembly in which Democrats currently hold a 48-32 majority.

The March 2 primary fight stems from Assemblyman Bob Dutton's decision to leave the Assembly after one two-year

PLEASE SEE ELECTION, B4
152

PRESS-ENTERPRISE

RIVERSIDE, CA
TUESDAY 188,091
FEB 17 2004

ELECTION

CONTINUED FROM B1

term. Dutton, R-Rancho Cucamonga, is running for the state Senate seat being vacated by Senate Minority Leader Jim Brulte, who must leave because of term limits.

Dutton has not endorsed anyone to replace him.

The ailing state budget will be a major issue for the 63rd's next representative. All the candidates called for shrinking government, but few offered specifics about how they would close a \$14 billion imbalance for 2004-05.

Stavros, for example, said he would eliminate the \$125 per diem lawmakers receive for expenses when the Legislature is in session.

He also called for eliminating "phantom jobs" in state government. Yet the moves would make only a dent in the shortfall.

Every candidate but Robles ruled out supporting tax increases to balance the budget.

"If (the Democrats) want to tax you a little more, it's not going to kill you," Robles said. "We need to move on beyond the partisanship of this state."

But the candidates had mixed views on Proposition 57, the \$15 billion budget bond measure being pushed by Schwarzenegger.

Emmerson, Pirozzi and Robles back the bond. But Morrell, Stavros and Lyon said they will vote against it.

"It would be a character-building experience for legislators to be forced to make a 15 percent across-the-board cut," Lyon said.

Emmerson and Pirozzi, the

63rd Assembly District candidates

Six Republicans are running in the March 2 primary.

Bill Emmerson

Age: 58.
Residence: Redlands.
Occupation: Dentist.



Family: Married, three children.
Education: Bachelor's degree, La Sierra University; advanced education in public administration, American University; advanced education in public administration, Cal State Sacramento; dental degree, Loma Linda University.
Noteworthy: Former chairman of the California Dental Association political action committee; once worked for former Assemblyman Craig Biddle, R-Riverside.

In his words: "We have to take a serious look at how we're spending our money."

Geoff Lyon

Age: 46.
Residence: Rancho Cucamonga.
Occupation: Lawyer.



Education: Bachelor's degree, University of Massachusetts; law degree, University of Minnesota.

Family: Married.

Noteworthy: Moved to district from south Orange County just before the filing deadline; is the brother of Indiana Lt. Gov. Kathy Davis.

In his words: "California is basically becoming a financial disaster and it needs someone who isn't part

of a political machine to come in from the outside."

Mike Morrell

Age: 51.
Residence: Rancho Cucamonga.



Occupation: President, Provident Home Loans Inc. and Provident Realty; consultant to chief executive officers.

Education: Bachelor's degree, University of La Verne.

Family: Married, four children.

Noteworthy: Past president, Inland Empire Republican club; member of various community groups.

In his words: "The thing that made America great was limited government."

Elia Pirozzi

Age: 45.
Residence: Rancho Cucamonga.
Occupation: CEO of WestProp Real Estate Corp.; lawyer.



Education: Bachelor's degree, Cal State Northridge; law degree, Southwestern University School of Law; master of law, University of San Diego School of Law.

Family: Married.

Noteworthy: Served as chairman of San Bernardino County Republican Central Committee; ran unsuccessfully for Congress three times.

In his words: "California has got to do something. We need to make it more business-friendly."

Sylvia A. Robles

Age: 51.
Residence: Grand Terrace.
Occupation: Retired San Bernardino County analyst.



Education: Bachelor's degree, University of Redlands; master's degree, Cal State San Bernardino.

Family: Married, three children.

Noteworthy: Worked for former San Bernardino County Supervisor Barbara Cram Riordan.

In her words: "I'd say to the Democrats: 'You want to tax people who make over \$200,000 a year? Fine.'"

Sam Stavros

Age: 41.
Residence: Rancho Cucamonga.
Occupation: History teacher at Chaffey College.



Education: Bachelor's degree, Cal Poly Pomona; master's degree, Claremont Graduate School.

Family: Married, one child.

Noteworthy: Received 17 percent of the vote in the district's GOP primary in 2002.

In his words: "People are getting alienated from the political system."

tion committee, has landed the big-name endorsements of Brulte and Board of Equalization member Bill Leonard, both former occupants of the 63rd seat.

Pirozzi, the former chairman of the San Bernardino Republican Party, has been endorsed by many local officials. He said he was very disappointed at Brulte and Leonard's decision to endorse Emmerson.

But Pirozzi and others claim that Emmerson has largely been a bystander to GOP causes in the Inland area. They noted that the dental PAC gave money to former Gov. Gray Davis and other Democrats when Emmerson was chairman.

"I'm just one of those guys who believes when you're on a team, you're on a team. You don't play both sides," Pirozzi said.

Emmerson said he opposed the Davis contribution but was out-voted. He also noted that many donors who contributed to Pirozzi's three unsuccessful runs for Congress also gave to Democrats.

Emmerson added that his experience with the dental association and as a legislative aide in the 1960s gives him a leg up on representing the 63rd.

"I've always been involved in legislative and public policy issues," he said.

Pirozzi countered that Emmerson is a Sacramento insider. For his part, Morrell said he wants to stay out of the Pirozzi-Emmerson fray and pull out a win. Moral issues are a reason why he is running, he said.

"I'd love to see kids pray in school," he said.

THE PRESS-ENTERPRISE

most politically experienced of the field, have lined up most of the major local endorsements.

But their backgrounds also have become fodder for political attacks

Emmerson, a Redlands dentist who is former director of the dental association's political ac-



Former dean dies; forum with Spanier postponed

By *David Blymire*, February 27, 2004

A professor and former dean of the Dickinson School of Law died Thursday at home.

Michael J. Navin became the school's seventh dean in 1987, a position he held for two years.

More recently, he taught courses in contracts, insurance and corporations and real estate transactions law.

"Mike was a valued and important member of our community for the past 17 years, and we will miss him greatly," said Dean Philip J. McConaughay. "We will do our best to comfort one another, as well as Mike's family, as we try to cope with our loss."

Navin is survived by his wife, Joan, and sons, Lawrence and Christopher.

Death spurs cancellation

The death was a factor in a decision to postpone Thursday's scheduled visit to the law school by Penn State University President Graham Spanier.

"Obviously, the situation that developed on campus yesterday made it a difficult day to have a meeting," Penn State spokesman Tysen Kendig said this morning.

He said the session was to have been a "general forum" for students, faculty and staff to talk about a variety of topics with the president, although the proposed relocation of the law school was expected to be brought up.

Colleagues contacted this morning for comment recalled that Navin was the kind of guy who would pitch in and help whenever needed.

"He was a very good colleague," said Professor William Barker. "He really helped out his fellow teachers here."

Barker says Navin didn't hesitate to take over teaching one of his courses last year when Barker had an opportunity to pursue a project in Africa.

Barker says he described the opportunity to Navin who "marched right over to the dean's office" and made the arrangements.

"That's the kind of guy he was," Barker says.

Since July, Navin co-directed the Law School's Agriculture Law Research and Resource Center.

Professor Leslie MacRae, also co-director of the center, said this morning, "The thing I will miss the most is his sense of humor, his willingness to help people and his love of students."

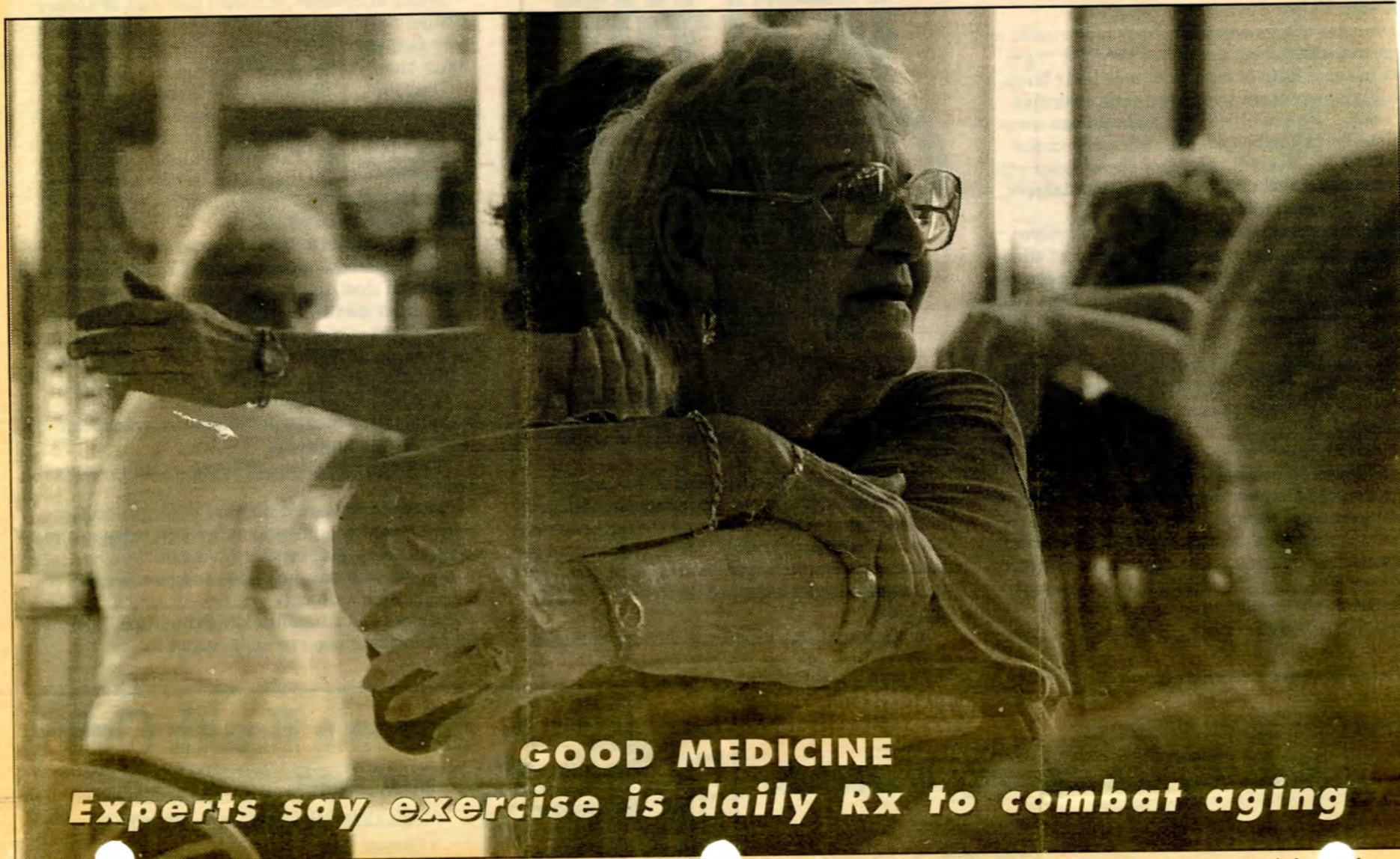
In September 1997, Navin was appointed vice dean and served in that capacity until July 2000 when he began a two-year commitment as a Faculty Fellow at Penn State's Center for Academic Computing at University Park.

Before coming to Dickinson, Navin taught at the University of San Diego School of Law for 14 years. Before that, he taught at Willamette University College of Law in Salem, Oregon, and was in private practice in Seattle, Washington.

A profile at the law school website says Navin was working on a book on contract law.

School of Nursing and Health Science

Health & Fitness



GOOD MEDICINE

Experts say exercise is daily Rx to combat aging

Lorraine Roberts, 89, stretches along with other mall walkers as they warm up for their stroll. She builds strength through resistance training and says she is more agile than ever since taking up exercise at 50.

NEW JERSEY JEWISH NEWS
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EAST ORANGE, NJ
WEEKLY 22,000
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MID-ISLAND TIMES &
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BETHPAGE, NY
WEEKLY 2,974
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WEEKLY 4,200
JAN 30 2004

NEW HYDE PARK HERALD
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NEW HYDE PARK, NY
WEEKLY 2,875
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SYOSSET, NY
WEEKLY 5,365
JAN 30 2004

GARDEN CITY NEWS (NYC
MARKET AREA)

GARDEN CITY, NY
WEEKLY 8,130
JAN 30 2004

GREAT NECK NEWS (NYC
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GREAT NECK, NY
WEEKLY 5,500
JAN 30 2004

JERICHO SYOSSET NEWS
JOURNAL

HICKSVILLE, NY
WEEKLY 1,278
JAN 30 2004

By Kate Callen

Lorraine Roberts decided to get in shape when she turned 50.

Her only previous exercise had been walking with her grandmother as a child, but Roberts wasn't daunted. She took up golf and quickly found that she had a strong swing and equally strong legs.

Nearly four decades later, Roberts will marked her 89th birthday with her regular morning stroll. Despite arthritis in both knees and asthma, she still golfs — "I love it, but I don't play as well as I used to" — and she regularly gets out with her senior group of mall walkers.

Roberts also builds strength through resistance training.

"I do a lot of stretching that I didn't do before, and I'm more agile than I used to be," she said.

"Exercise gets my blood flowing, and it makes me feel great. I walk every chance I get. When I go shopping, I park the car as far away from the store entrance as I can and walk in."

Roberts embodies the universal belief, based on research and clinical experience, that exercise after 50 is a no-brainer: Regular workouts help counteract the physiological and psychological effects of aging. And, thanks to an array of low-impact regimens, the over-50 body can achieve fitness without stress or soreness.

"It's true that people over 50 show declines in balance, mobility, strength and range of motion," said Jeanne Ols-Bernhard, a professor of exer-

cise physiology in San Diego State University's Department of Exercise and Nutritional Sciences. "But so much of that is really caused by disuse and sedentary lifestyles. You can slow down the so-called 'aging process' by staying active."

But how?

For those who already exercise regularly, the half-century mark may be a time when joint pain and fatigue are cramping their regimen. For those who haven't exercised, starting from scratch can seem like a formidable challenge, but the timing is fortuitous.

A fitness surge that began among baby boomers has made over-50 workouts accessible and fun.

As outlined in "Exercise: A Guide from the National Institute on Aging" (www.nia.nih.gov/exercisebook/), the most effective over-50 fitness regimen would include four types of exercise, each with its own benefits:

- Endurance or aerobic exercises, such as running and walking, increase stamina and can help delay or prevent diabetes and heart disease.

- Strength exercises, such as weight or resistance training, increase metabolism and can help prevent osteoporosis.

- Flexibility exercises that focus on stretching can prevent or aid recovery from injuries.

- Balance exercises such as yoga can help prevent the falls that are a major cause of injury for elderly people.

Many nontraditional exercise programs combine two or more of these fitness aspects with minimal impact on

aging joints.

In its 16th annual study of sports participation in the United States last spring, American Sports Data Inc. reported that the fastest-growing fitness regimens since 1998 have been Pilates, a hybrid exercise of resistance, balance and stretching; indoor aerobic machines such as elliptical motion trainers and recumbent cycling; and relaxation techniques such as yoga and tai chi. Experts believe these trends mean that aging exercisers prefer workouts low on stress and high on social interaction.

"People like to participate in group fitness programs," said Shelly Buono, an exercise physiologist. "When you exercise with a group, you make a commitment, and you have more fun. That's a good way to make exercise a habit, which is very important."

Kathy James, an associate professor at the Hahn School of Nursing at the University of San Diego, picked up the fitness habit at age 30, when she began running to lose weight and dropped 60 pounds.

"I literally ran my weight off," James said.

Now 50, James focuses her research on obesity. In her off hours, she runs six miles a day with her running buddy of 20 years. Both professionally and personally, James has seen that exercising is a good way to stave off the effects of aging.

Over-50 people who experience back pain often react by lying down, but, James said, "bed rest is the worst thing for a back problem."

"You need to move around, and strengthening the abdominal muscles can really help, because that keeps you from getting a swayback," she said.

Swimming, the ultimate low-impact sport, is a great way to tone up aging muscles, James said.

"Swimming helps give you strong arms, a strong upper body, and strong legs," she said.

Whatever options you choose, experts agree that you need to establish an exercise routine, and a daily regimen is best.

"A 150-pound person who walks a mile a day will burn 150 calories that way," James said. "If you make no other change in your diet, at the end of the year, those 150 calories a day will add up to 15 pounds."

There is one other incentive for the over-50 crowd to get in shape, and it is a powerful one.

Ominous statistics about childhood lifestyles suggest that many offspring of baby boomers already are overweight and unfit.

"Today's kids are not getting regular exercise, they're spending too much time in front of the TV, and they're drinking too many sugary soft drinks," said Buono, the exercise physiologist. "I hope the 50-plus generation will help lead their kids and their grandkids into a healthier life."

Other USD-related News

The San Diego Union-Tribune • Thursday, February 5, 2004



Eric RunningPath performs an American-Indian dance in the company of (from left) Monsignor Daniel J. Dillabough, Rabbi Wayne Dosick, Episcopal Bishop Gethin B. Hughes and Sandip Shastriji Kapase at the 11th annual All Faith Service at USD's Immaculata. Earnie Grafton/Union-Tribune



Have fun this summer at USD!

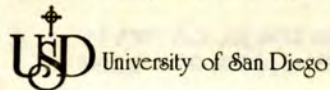
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All Headlines

SMART MULTIMEDIA GALLERY:   

February 19, 2004 06:00 AM US Eastern Timezone

I.M.P.A.C.T. with Union Ironworkers; A Conversation with Eric Waterman, an Advisory from Industrialinfo.com



Photo of IMPACT Co-Chairs William Brown (Standing) and Eric Waterman at work in Washington DC office.



HOUSTON--(BUSINESS WIRE)--Feb. 19, 2004--Written by William Whitney, Senior Correspondent for Industrialinfo.com (Industrial Information Resources Incorporated; Houston). Most often, one thinks of management and organized labor as an adversarial relationship -- and most often, one would be right. However, if you're a pundit of union mentality, you'll most likely be going head-to-head with the likes of Eric Waterman, CEO of the Ironworker Management Progressive Action Cooperative Trust (IMPACT) (Washington, D.C.) ...and liking it!

Management trusts, in themselves, are nothing radically new, tracing their origins to post-World War II Taft-Hartley legislation that formatted their establishment and administrative mandates. Historically, more than a few unions and labor organizations have suffered from administrative quagmires, corruption, and simple mismanagement. While still in its infancy, on its first birthday, IMPACT shows all the signs of doing things the right way.

To Eric Waterman, IMPACT is more than a cutesy acronym...it is his personal career mission. "In the end, it's all about jobs," says Waterman. But he is quick to point out that there are essential ingredients to his recipe. Among the issues that IMPACT targets are ironworkers' safety, training, image, project tracking, and Worker's Compensation reform. Waterman is a savvy and experienced iron industry insider who knows his way around the Washington, D.C. beltway. In that short period of time, IMPACT has recruited more than 25% of the union locals, representing approximately 130,000 national ironworkers.

► MORE MULTIMEDIA

The obvious question is: What's so special about IMPACT?

In essence it is unique, in that it maintains a sense of parity with the signatory contractor, customer, individual union local, and the ironworker. "It's about delivering a product at a competitive value," states Waterman. And he has a formula: Training + Safety + Productivity must be greater than Cost (C). Still more unusual is his working directive: "We want all of the parties involved to want to be part of us -- not forced to be." It is, at least, an unusual axiom in the realm of organized labor.

The Workmen's Compensation issue is a huge challenge, in that in many states the insurer's premiums are based upon the individual worker's wages, which tilts the playing field, since the union hourly wage is substantially higher than that of a non-union contractor. Steve Rank (IMPACT Western Region Director) is at the forefront of the quest and has successfully negotiated reforms with major insurance carriers, such as Liberty Mutual, Seabright, Zurich, and the California State Compensation Fund.

At the heart of the solution is IMPACT's Alternative Dispute Resolution (ADR) concept, which centers on reducing the number of claims that result in costly litigation. Managed through a network of regional offices across the country, the ADR process provides monitored health care with nurse practitioners and individualized administrative assistance, guiding the injured ironworker through the all-too-often bureaucratic maze. Steve Rank is quick to point out that during the past, "Not one claim in the State of California went to litigation." Rank credits Richard Zappa (First Vice President Ironworkers International) and Michael Newington (Executive Director, Western Steel Council) with much of his early success in the Western territory and for sharing their working ADR model with IMPACT.

The Ironworkers' International has had an ongoing training relationship with the University of San Diego for almost twenty years. That educational effort continues to be refined and expanded. Resembling Train the Trainer programs, the curriculum prepares instructors to return to their regional field offices and implement extensive training and

advancement to the rank and file membership.

Iron work has long been perceived as a Rust Belt industry and IMPACT is using their recently developed Web site (www.impact-net.org) to dispel that image and to promote themselves to industry professionals, such as architects, designers, engineers, and even general contractors. One notable feature available to the local unions exclusively is IMPACT Trac Project Tracking System, which helps the locals partner with signatory contractors and fabrication shops, as well as providing sophisticated reporting, which might otherwise be cost prohibitive and thus out of reach to the individual locals.

Another invaluable asset is the addition of Industrial Information Resources Incorporated (Houston), to the Web site, which will allow both the locals, employer groups, and signatory contractors access to the highly acclaimed www.industrialinfo.com Web site. This industrial project tracking tool allows the various entities to identify new business opportunities and emerging market trends far earlier than conventional reporting systems.

A highly regarded and extremely visible contributor is Joseph Hunt, General President of the Iron Workers' International Union <http://www.ironworkers.org/about/>.

Hunt parallels Eric Waterman's experience and singleness of purpose and serves as IMPACT co-chair with another heavy hitter, William Brown (President, Ben Hur Construction, St. Louis, Missouri) (<http://www.benhurconstruction.com/>).

In fact, Hunt and Waterman have been acquainted for almost twenty years. Together they have been able to attract the most experienced and talented managers and executives in the business. The industry support is evident, in that the IMPACT Management Trustees are members of Associated General Contractors (AGC), The Association of Union Constructors (NEA), and the National Association of Reinforcing Steel Contractors (NARSC).

Even with the best of intentions, superior management, and experienced leadership, every organization needs funding – and IMPACT is no exception.

Eric Waterman made an interesting and pragmatic observation in saying, "Human nature being what it is – everyone thinks they are bearing the burden alone – the contractor, the local, and ultimately the customer." However, the reality is that the funding is truly shared. Essentially, the initial funding is negotiated for the life of the agreement, with a one percent cap based on the prevailing wage rate. The signatory contractor and the ironworker share the contribution equally. The new IMPACT contributions will replace previous payments to the National Training Fund and Institute of the Ironworking Industry as soon as IMPACT is added to the collective bargaining agreement.

The challenges that IMPACT, Eric Waterman, Joseph Hunt, William Brown, and their colleagues face are not so different from those of other American industries - the inflationary labor agreements of the sexy sixties have come home to roost. As surely as the sun rises tomorrow, they will face the hurdles of American industry - safety, increased offshore competition, spiraling health care costs, and pension fund management.


After just one short year out of the gate, IMPACT seems to have established a beachhead and a revived sense of integrity, in an area where others have failed.

Editors note: As this story went to press, at least three union ironworkers were killed in a tragic highway construction accident in the collapse of an erecting crane near Toledo, Ohio. It should be reassuring for more than 130,000 ironworkers to know that Eric Waterman and IMPACT will be there for them.

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2004 VOTE

Court plays prime role in school board race drama

By **Karen Kucher**
STAFF WRITER

Much of the drama in the race for the open District D seat on the San Diego school board has come from the courthouse rather than the campaign trail.

After three of four candidates vying to replace incumbent Ron Ottinger were disqualified for failing to collect enough valid signatures on their nominating papers, two turned to the Superior Court for help.

Luis Acle and Pilar Arballo tried to convince the court that they had substantially complied with the law requiring 200 valid signatures. Their circumstances were nearly identical, but they were assigned different judges. Acle won;

District D

Four candidates, including two write-ins, want to represent District D on the San Diego school board. The top two finishers in the March 2 primary advance to the November general election.

SEE District D, B3



Pilar Arballo



Guadalupe Corona



Benjamin Hueso



Luis Acle

Hueso has two board trustees supporting him

Arballo lost.

So Acle and Benjamin Hueso, a city redevelopment project manager who was the only candidate to gather enough signatures to qualify, are on the ballot. Arballo and Guadalupe Corona are running as write-in candidates.

Arballo and Corona are outspoken critics of Superintendent Alan Bersin and his policies, and would support buying out his contract early. They were both endorsed by the influential teachers union, but because they were disqualified from the ballot, the group will wait until after the primary to get involved.

Hueso, endorsed by Ottinger and trustee Katherine Nakamura, said the San Diego Unified School District is better for having hired Bersin, but that the superintendent failed to build consensus for his programs. Hueso sees value in Bersin's plan, the Blueprint for Student Success, but questions whether the district can still afford it.

Acle said it would be inappropriate for him to assess Bersin's overall performance, but that Bersin should have sought greater involvement before implementing policies. Acle also is critical of the way the school board has treated the public during its meetings.

District D covers an area in central San Diego roughly bound on the north by Madison Avenue and on the south by the National City boundary; it extends east from Dove Street in Hillcrest to Fairmount Avenue in City Heights. Many of the schools in the ethnically diverse area deal with urban issues such as overcrowding, poverty and language barriers.

All four candidates are Latino and bilingual.

So far, the races for three open seats on the school board have not attracted the high level of campaign contributions seen two years ago. Hueso, 34, has raised the most money among the candidates, taking in more than \$10,400 in contributions, according to statements filed with the county Registrar of Voters Office.

Benjamin Hueso

A native San Diegan and

graduate of Point Loma High School, Hueso is the father of three children not yet in school.

To boost enrollment and bring in more money, Hueso would launch a marketing campaign to discourage parents from abandoning public education for charter or private schools. He opposes decreasing employee benefits, but said across-the-board cuts may be necessary.

Hueso is the only candidate in the race with a paid adviser. He has retained veteran political consultant Larry Remer.

In addition to his backing from two trustees, Hueso is endorsed by the San Diego-Imperial Counties Labor Council. He said he would be a consensus-builder on the board.

"If you are a person who comes in and is polarized and not sympathetic to any group, no way you are going to be able to achieve budget cuts and not create a disaster in the community," he said.

Hueso has served on an advisory board under former San Diego Police Chief David Bejarano and current Chief Bill Lansdowne, and volunteered as a mentor with the Barrio Logan College Institute.

Before taking a job with the city, he started a transportation business and worked for USA Cab, a company started by his father and three of his brothers. He earned a bachelor's degree from UCLA and a certificate in community and economic development from San Diego State University.

Luis Acle

While none of the candidates has held elected office, Acle is no stranger to the ballot. He unsuccessfully ran for Congress in 1988 and 1992, and sought appointment to the county Board of Supervisors in 1995.

But Acle, 60, said this race is different.

"This one really requires a much greater commitment," he said. "Nobody is running for this race for the money. The only thing that we know for sure is we are going to be solving very difficult problems."

Acle said his main interest in the race comes from his role as a parent of three, including two teenagers enrolled in district schools.

"I have children in the system," he said. "What happens and how well this district performs has an impact on me, on my children, on their lives."

Trustees are paid up to

\$15,000 annually, depending on how many board meetings they attend. The five-member board oversees the state's second-largest school district, with more than 138,000 students.

Acle offered few specifics about how he would reduce district spending, other than saying he wants to cut the use of consultants for teacher training. He also wants to bring greater civility to the board.

"It tears my heart to see people pulling in so many different directions," he said. "I would like to see this board function with a greater sense of unity and common purpose."

Acle, who was born in Mexico City and moved to California as a child, has a diverse background of business and government jobs, including a stint as an associate director for public liaison in the White House during the Reagan administration. He holds an MBA from Stanford University.

For the past two years, Acle has worked as a substitute teacher, mainly in city schools. He said he took the job to be on the same schedule as his daughters.

So far, he has raised no money and lent his campaign \$1,650, according to disclosure records. He owes his attorney \$3,000 for suing to get him on the ballot. Acle said he lent his campaign an additional \$15,000 this week.

Pilar Arballo

To qualify as certified write-in candidates, Arballo and Corona will have to turn in the signatures of 200 registered voters who live in District D by Feb. 17.

Only once in county history has a candidate waged a successful write-in campaign, when Ron Packard won a congressional seat in 1982. But Arballo and Corona remain confident they will appeal to voters and run viable campaigns.

Arballo, 38, a former city schools teacher, said the district should maintain the "common sense" parts of Bersin's

blueprint, such as smaller class sizes, but discard its use of consultants for teacher training. She would cut administrators' salaries and try to restore trust among district employees.

"Mr. Bersin and the three-board majority (have) created an environment of fear and an environment of mistrust," she said.

Born in Ensenada, Arballo moved to San Diego when she was 7. She is a lead community organizer for the Bronze Triangle Community Development Corp.

Arballo, who earned a master's degree in education from SDSU, touts her education background and her knowledge of how the district operates.

"I just believe that people in charge of education should have some knowledge of education," she said.

Arballo said the school district opposed her lawsuit seeking a spot on the ballot — but took no position on Acle's legal challenge — because it knows she will not be a rubber stamp on the board. Attorneys for the district have said they did not learn of Acle's case in time to prepare an opposition.

"They know me personally," Arballo said. "Mr. Bersin knows I've been a critic of his style."

Even after Arballo lost in court, she won the endorsement of three chapters of the California School Employees Association, which represents bus drivers, custodians, food-service workers, office staff and teaching assistants. The union will provide volunteers to walk precincts.

"We only have to get her in second place," said union representative Erik Olson. "Once we get her in second place, the whole game changes."

The top two vote-getters will go on to the November general election, when voters from throughout the school district will cast ballots.

Arballo said she is raising campaign funds, but declined to specify how much she has received. She is not required to file financial disclosure statements until she is a certified write-in candidate.

Guadalupe Corona

Corona, who has a son enrolled at a district elementary school, said concern over his education was part of the reason she decided to run.

"Overall, I feel that the decisions that are being made at the

school board are not resonating with the needs of the children of the district," she said.

Corona, 32, is an administrator at the University of San Diego. She is critical of Bersin and the blueprint, which she said has prompted teachers to quit and parents to move students out of the district. To deal with the budget crisis, she would cut administrative overhead and the district's use of consultants, and would lease district property to raise money.

"I think the blueprint has been a very costly overhead program that has achieved very little results, and that we need to focus on the standards and work with teachers to (improve) areas where we have fallen behind," Corona said.

The San Diego native has served on an advisory board for police chiefs Bejarano and Lansdowne. She is president of the Latina/Latino/Indigenous

People Unity Coalition, which hosts monthly breakfasts to discuss civic issues, and serves on the board of the Centro Cultural de la Raza.

She has a master's degree in leadership studies from USD and is working toward a doctorate in education.

Corona said political consultant Levin Sy is volunteering to help her campaign. Her endorsements include the San Diego Democratic Club; Rep. Bob Filner, D-San Diego; and David Valladolid, president of the Parent Institute for Quality Education.

Corona had raised more than \$7,200, including \$765 she lent herself, as of the end of December, according to financial disclosure documents. She has not been required to file reports this year.

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Press Release

Source: Bank of America Corporation

Bank of America 2003 Grants and Sponsorships in San Diego Total \$1.8 Million Company Provides Support to More Than 190 Local Organizations

Monday February 23, 9:01 am ET

SAN DIEGO, Feb. 23 /PRNewswire-FirstCall/ -- Bank of America today announced that it gave \$1.8 million in 2003 to support more than 190 nonprofit community groups in San Diego County.

The grant, sponsorship and matching grant assistance went to agencies in the areas of education, housing, economic development, health and human services, cultural outreach and community development.

"Our long-term success depends on the health and vitality of the communities we serve," said Robert Tjosvold, president, Bank of America San Diego region. "The local nonprofit agencies supported through foundation grants and sponsorships help our children succeed in life, neighborhoods flourish and communities prosper. I'm extremely proud to work for a company like Bank of America, where caring for and being involved in local communities are priorities."

Some of the nonprofit agencies receiving Bank of America charitable funding and sponsorship support during 2003 include: North County Health Services, San Diego Economic Development Corp., Sharp Hospital, Family Literacy Foundation, Community Housing Works, Chicano Federation and San Diego Urban League.

Bank of America is a long-time major supporter of the United Way, both through corporate contributions and the payroll deduction program for associates. The bank supports several San Diego area United Way agencies.

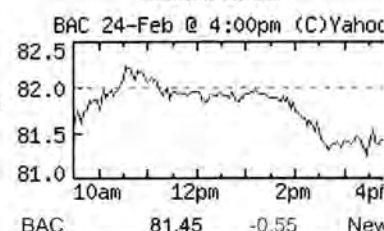
Bank of America grant and sponsorship decisions are made locally in the multitude of communities served nationally by the bank. In each market, there are leadership teams comprised of local associates who know the markets and know the needs and are responsible for ensuring that funding reaches the appropriate agencies.

Other Bank of America Foundation and company programs to support local communities include:

- Matching grants program -- The Foundation matches up to \$5,000 per donation made by an associate or retire to a nonprofit organization.
- Team Bank of America -- Local chapters of associates in California and across the nation volunteer personal time on a variety of community programs and events.
- Volunteer Time for Schools program -- Associates can volunteer two hours per week of paid time to support elementary, middle and high schools.
- In-kind donations -- When available, Bank of America donates furniture and equipment to nonprofit organizations.

The Bank of America Foundation directs charitable giving on behalf of Bank of America. Its primary focus is on education and funding early childhood development, financial literacy and professional development for teachers. It also supports nonprofit organizations that meet the basic needs for affordable housing and workforce development. The foundation operates with the largest

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Alzheimers Disease And Related Disorders Association
American Heart Association-San Diego Chapter
American Lung Association Of San Diego and Imperial Counties
American Planning Association
Annual Fundraiser "Shades of Spring" Art Auction/Luncheon
Ashworth Charitable Fund
Autism Society of America Inc
AVID
Barrio Logan College Institute
Big Brothers and Sisters of SD County
Big Game & Big Business Super Bowl Luncheon
Biocom Annual Dinner
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Boys and Girls Club of National City - Project Learn
Bronze Triangle CDC
Burn Institute
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California Western School Of Law
Casa Familiar
Catholic Answers Inc.
Center for Social Services, The Lesbian and Gay Men's Community Center
CEO Roundtable
Cesar Chavez Commemorative Breakfast
Chabad Day School
Challenged Athletes Foundation
Children's Hospital And Health Center
City County Reinvestment Task Force
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Cystic Fibrosis Foundation
Desert Pacific Council - Boy Scouts of America
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Holiday Bowl
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Border Blunder

EDITORIAL

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Issam Abu Issa was turned away from America at Kennedy Airport on Friday as he came from London. As our Eli Lake reports at page one of today's New York Sun, he was coming to America to meet with the House Financial Services Committee about financial improprieties in the Palestinian Authority under Yasser Arafat. He says our officials at the border told him he wasn't welcome because he supposedly laundered money for terrorists.

Mr. Abu Issa, a 1981 graduate of the University of San Diego, has been to America a half dozen times in recent years, including a visit last year to the Hudson Institute in Washington, D.C., where the audience included national security officials from the Bush administration.

Readers of The New York Sun were introduced to him in a front-page profile on Feb-

ruary 6, 2003, in which Mr. Abu Issa spoke of "a liberal, democratic Palestinian state based on having a harmonious relationship with its neighbors."

It is border blunders like Friday's that feed the stereotype that the American government assumes all Arabs are terrorists.

If Mr. Abu Issa really were a terrorist, the border authorities should have arrested him, not turned him away at the border. And since he is not a terrorist — in fact he is a leading Palestinian reformer and democrat — he deserves an apology.

The best move would be for the relevant officials — Secretary of State Powell and the secretary in charge of "homeland security," Tom Ridge — to offer that apology in person and in Washington so they could take the opportunity to learn more about what Mr. Abu Issa is really about.

Laotians who fled government may get to relocate here

Hmongs aided U.S. in Vietnam War

By David E. Graham
STAFF WRITER

San Diego soon may be home to more Southeast Asian war refugees: Laotian tribespeople whose families supported the United States during the Vietnam War.

Several thousand Laotian Hmongs, a nomadic, mountainous people, have become eligible to resettle in the United States as refugees, including some expected to join San Diego's Hmong community, which has about 2,000 people.

Saying they have fled persecution in the fractious political environment of Communist-

ruled Laos that has prevailed since the war, about 15,000 Hmongs have been living in a Buddhist temple complex outside Bangkok for several years.

The State Department announced in December that the United States would accept any who qualify as political refugees, and the first may arrive in July, officials said. U.S. officials expect to begin interviewing potential refugees next month. Any accepted typically would be resettled with family members here, an official said.

"It's a pleasure; it's a relief," said Alen Tarr, a Hmong refugee from Laos, who works as a San Diego police community liaison officer. "This is their only opportunity to pursue a better life."

Many of San Diego's Laotian

Hmong refugees live in Linda Vista, Mira Mesa, North Park and Escondido, most having come here by the 1980s, along with Vietnamese and Cambodians who supported the United States during the war.

Overwhelmingly, they have settled into the American way of life, working and most owning their homes, said Chou Vang, a refugee who founded a Laos Hmong Family Association in San Diego.

At one time, there were a few thousand more here, but many moved elsewhere looking for jobs, including farming around Fresno and Bakersfield, said Vang, who works as an events organizer at the University of San Diego. Many Hmongs also settled in Minnesota and North Carolina in cooler climates,

similar to their former mountain homes. After the war, about 250,000 Laotian refugees came to the United States, including about 130,000 Hmongs, according to the State Department.

Vang said San Diego Hmongs are in contact with family and friends in Thailand and would assist them in resettling. He has visited friends three times at the Thai temple complex, called Wat Thamkrabok.

The Hmongs are remembered as loyal fighters who helped U.S. forces battle communists in Laos, said Bob Montgomery, director of the San Diego office of the International Rescue Committee, a nonprofit agency that helps refugees adjust. The group sent a

team to Wat Thamkrabok in December to assess the potential resettlement.

Those at the wat include some who fought during the Vietnam War, their family members and others who have been opposing the Laotian government more recently, Montgomery said.

Those who make a compelling case of fear of reprisals if they return to Laos would qualify under the State Department directive for asylum as political refugees, he said.

Perhaps 10,000 are likely to apply, a state department official said. They must be at least 21 and may bring their children. Drug use can disqualify someone, the official said. Hmongs here acknowledge

that some elderly, in particular, smoke opium as a medicine.

Since the early 1990s, individuals and families have gone to the temple complex, where they stayed, apparently fearing harm from the Laotian communists. But the Thai government has found their presence bothersome because of allegations that some used it as a base from which to fight the Laotian government and that some trafficked drugs.

Given the Hmongs' past allegiance to the United States, this country agreed to a Thai request to resettle to the United States any who qualify, the state department official said. Most of those resettled likely would arrive next year, the official said.

Athletics

USD ATHLETICS' NEW LEADER: KY SNYDER

Athletic career

Was a football standout at McClintock High in Tempe, Ariz., and Scottsdale Community College before transferring to San Diego State in 1982. Snyder's Aztecs career as a defensive back was plagued by injury and, after submitting to his fourth knee surgery in the spring of 1984, he opted to forgo his senior season and served as a student/assistant coach that fall.

Professional career

Earning his B.A. in marketing from SDSU, Snyder embarked on a career in athletic administration, spending six years as USD's director of athletic development before taking a position with the San Diego International Sports Council in 1996. He subsequently was named president of the council and served as president of the San Diego Super Bowl Host Committee for the 2003 game.

Personal

Age: 41. Resides in Poway. He and his wife, Sue, have three children, son Riley, 10, and daughters Sydney, 7, and Cammy, 4. Sue (Hegerle) Snyder is a former volleyball standout at SDSU and women's volleyball coach at USD.

- HANK WESCH



The next level for USD? Ky Snyder defines it as "winning conference championships on a regular basis." *Jim Baird / Union-Tribune*

Starting tomorrow, the goal for new executive director of athletics is to take USD to . . .

'The next level'

4154
Ky Snyder starts his job as executive director of athletics at the University of San Diego tomorrow, assuming the ultimate responsibility for the on-field and financial success or failure of Toreros intercollegiate programs.

The 41-year-old former SDSU football player, USD athletic administrator and, most recently, president of the San Diego International Sports Council, recently met with Union-Tribune staff writer Hank Wesch for a question-and-answer session.

■ ■ ■

Question: Dr. Robert Pastoor, who

headed the search committee, said the reorganization of the athletic department and your hiring in this newly created position were intended to enable USD athletics to move up to the next level. Define what that means.

Answer: I would define it as, first and foremost, we conduct ourselves in the manner of highest ethical standards that are beyond reproach. I think that's already being done. We're also here to educate the student-athlete. The parents put these kids in our care, and we have to make sure that's taking place.

From a competitive standpoint, I would like to see us winning conference

championships on a regular basis. I think that's really what the next level is. We've won a number of conference championships, but to do that regularly I think is that next step in the evolution of the department.

We've had All-Americans here, we've had conference championships and teams that regularly make the NCAA Tournament. But the thing you do by winning the conference championship is make sure that you're in the NCAA Tournament and that you don't have to

SEE Snyder, C4

About USD athletics

School enrollment: 7,200.

Athletic department budget: In excess of \$9 million annually.

Background: The school was founded in 1949 and has offered intercollegiate sports programs since the 1950s. A member of the West Coast Conference for the past 24 years, USD competes in 16 sports on the NCAA Division I level and has a Division I-AA football program that is a member of the Pioneer Football League.

Women's sports: Basketball, cross country, rowing, soccer, softball, swimming, tennis and volleyball.

Men's sports: Baseball, basketball, cross country, golf, football, rowing, soccer and tennis.

Successes: Since 1990, USD teams have made 38 NCAA postseason appearances, garnered 35 All-America selections, had 32 conference coaches of the year, 25 conference players of the year, 14 conference freshmen of the year, won 13 conference championships and counted four WCC scholar-athletes of the year.

Source: USD sports information.

Q: What's your reaction to the lackluster seasons by the school's flagship programs, men's and women's basketball?

A: Men's basketball certainly has been a roller-coaster ride from the jubilation of last year, qualifying for the NCAA Tournament. I remember sitting in the Jenny Craig Pavilion for the WCC Tournament final against Gonzaga. It was loud and it was crazy and it epitomized college athletics. It was why the Jenny Craig was built, to bring that kind of an atmosphere here.

So many different circumstances have come at that basketball program since then. When you only have six scholarship athletes available to play in a game, there aren't many coaches in the country who are going to be successful with that.

Unfortunately Brad (coach Brad Holland) is going through one of those seasons that you hope you never have to go through. But you look at the team he'll have next season, on paper, and we're contending for the conference championship again. Certainly we'd like to see the basketball program do much better. But I think Brad has it pointed in the right direction.

On the women's side, Kathy (coach Kathy Marpe) has a very good recruiting class coming in from what I understand.

You know, we haven't gone through a full cycle of recruiting yet with the new facility. I think it's a little early yet to really determine what impact the Jenny Craig Pavilion has had on the university and on the programs' ability to recruit. I think time will tell what we can get done there.

Q: Do you anticipate having to make some early, tough decisions regarding hiring and firing of coaches? Or is that something you will put off for at least a year?

A: Personnel issues are always difficult to address because they affect people's lives. But no, I don't see any red flag out there that has to be taken care of right away at all. I'm not looking to come in and change things radically right away. I think it's important that we assess things early on, see what our strengths are and play to our strengths. I don't see any need for personnel changes coming in the door and I think we have some real quality coaches who have done a lot with a little.

Q: Now that the university has hired a high-profile football coach in former NFL quarterback Jim Harbaugh, what changes do you foresee in that program? Has there been any thought given to going from the present nonscholarship to a partial- or full-scholarship program?

A: We're going to continually look at all our programs to see what we can do. Specifically with football, I think that for the university the present situation is the right fit.

To go from Division I-AA nonscholarship to I-AA scholar-

ship, if I'm correct I think the minimum number is 65 scholarships. You look at what the cost of tuition is here and if you want to go that direction you're talking about a \$2 million scholarship investment and an additional \$1 million operating budget. And if you're going to do that on the men's side you have to do something comparable on the women's side.

So you're talking about an \$8 million investment, which doesn't make a lot of fiscal sense at all.

Then you take a look at Colgate this year. A nonscholarship program competing for the I-AA championship. I think there is a lot that can be done with the program and already (Harbaugh) is developing a coaching staff that is phenomenal and that is going to translate onto the field. Jim is just a great fit for this university. I think he exemplifies what you want from any employee or coach at this university.

Q: In general, has the athletic department been operating in the red or black financially?

A: This is a university-supported athletic department, definitely. Our revenues do not compensate for the expenses. We need to increase our revenues here. That's something we definitely need to accomplish.

Most Division I schools are university supported, one way or another, as well. It's the few, it's the BCS schools and probably only a few of them, that are operating in the black. Maybe 30 or 40 schools tops.

Q: But is the financial situation such that any of the 16 intercollegiate programs offered are in any jeopardy of being cut?

A: Not at all. I think that overall, we're pretty sound there.

Q: Can the "next step" up be taken without lowering, however slightly, the existing academic standards for admission and eligibility that some coaches have said place them at a disadvantage with rivals in the league?

A: I think we can do it with the academic requirements as they are now. Yes, it is challenging to get in here. And it is a challenging academic program when they are here.

You may be able to relax entrance requirements. But you're not going to relax the academic challenges on the campus. The school is now ranked among the top 100 universities in the United States because of its academics. So you're not going to dummy down the school. And one of the last things you'd ever want to do is bring a student-athlete into a situation where they can't be successful.

That's where the need for the academic support program becomes so important.

Our job is to help these kids who come in here get their degree so they can go out and be strong contributing members to society. One of the things I love about athletics is this:

The general student population has a lot of challenges, and many of them work while they're going to school. The student-athlete goes through those same academic rigors, but they are also learning to compete, learning discipline and they're learning the values of teamwork. Those are lessons that don't get taught through the rest of the campus and that's why you see so many leaders in the business and political world are former collegiate athletes.

That's what makes college athletics so great in my mind. That's what I love about it.

► SNYDER

CONTINUED FROM PAGE C1

Jim Harbaugh 'a great fit for this university'

worry about an at-large selection.

One of the other things is that while we have arguably the best academic support program in the conference, I would like to see that academic support program be even better than it is. I would like to see it as one of the tops in the country.

Q: The Executive AD duties, as described in the job posting, include fund raising, budgets, assessment of teams and functions, coaches' employment issues (hiring and firing) and long-term planning. Of those areas, which do you feel is your strong suit and which presents the greatest challenge?

A: Obviously, a lot of my background is in fund raising, or as I prefer to think of it, revenue generation. By revenue generation, I mean finding sometimes unique ways of making things stronger (financially) so we can do more. I have experience in just pure fund raising from when I was at the university previously. I have experience in other means of revenue generation from the sports council where we had to find ways of getting things done.

My biggest challenge will



Ky Snyder believes it's too early to determine what impact the Jenny Craig Pavilion has had on recruiting. *Laura Embry / Union-Tribune*

probably be to learn the business operations as they are done on campus, which is somewhat different from the general community. Having been here for six years previously, I have some background. But I have to find out what has changed and what hasn't.

Q: USD has been known for a relatively low turnover rate for coaches and at least a per-

ceived lesser emphasis on wins and losses when it comes to their evaluation process. Does the departmental reorganization, and the stated desire to be more competitive and win WCC championships, translate to putting greater emphasis on coaches to win?

A: It will depend on the individual sport. You can't just, overnight, say that now there is

an expectation to win. In order to get to that "next level," the coaches have to have the tools to do that.

What we have to do over the next six months or so is a full evaluation of where we are, what the next level looks like, and what we need to get there. Do we need the ability to recruit more? Do we need to schedule differently?

I think expectations are proportionate to the tools that are available to the coaches.

I believe that, across-the-board, we have overachieving coaches here – coaches who have done more, with less, than their counterparts across the country. That's commendable, and maybe that's why we don't have a high turnover rate.

The majority of coaches here has gotten things done. And what could they do if we gave them even more tools to be successful? I think what they can do is they can achieve that next level.

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**'THIS IS THE WAY COLLEGE
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JIM HARBAUGH, FORMER NFL
QUARTERBACK, ABOUT COACHING AT DIVISION I-AA
UNIVERSITY OF SAN DIEGO

He's now Coach Harbaugh —

and loving every minute of it

*Former NFL quarterback enjoying new role at
Division I-AA San Diego*



MERCURY
POTTSTOWN, PA
SUNDAY 24, 539
FEB 22 2004

Former NFL quarterback, and newly named head coach at the University of San Diego, Jim Harbaugh tells a player to try harder during a workout last week. Harbaugh left an NFL coaching position to take over at the Division 1-AA non-scholarship program.

AP Photo

By Bernie Wilson
AP Sports Writer

SAN DIEGO — Sitting in his cramped, cluttered office tucked away on an otherwise spectacular campus, Jim Harbaugh practically gushes about his new job.

He even gets a twinkle in his eye while talking about leading his team through conditioning drills at 6 a.m.

"This is where I want to be. I haven't had one day of regret about what I'm doing," said Harbaugh, the former NFL quarterback who's not quite two months into his job as head coach at the University of San Diego, a small Catholic school that has never made waves in football.

COLLEGE FOOTBALL

"This is the way college football was set up to be, back when Rockne was coaching at Notre Dame," said Harbaugh, the son of a former coach. "It didn't deter from their education, it was an enhancement."

Harbaugh calls it football at its purest, and really, that's the only way it can exist at USD, which plays in Division I-AA.

Academics are king here, although every decade and a half or so, the basketball team makes it to the NCAA tournament. USD is ranked among the top 100 schools nationally by U.S. News & World Report. Tuition and fees for freshmen in 2004-05 will be \$26,660, plus room and board of more than \$9,000.

Recruiting can be tough, and winning the Division I-AA national title, like Harbaugh's father, Jack, did at Western Kentucky, would take a miracle. USD plays in the Pioneer Football League, which does not offer football scholarships — although financial aid is available. Plus, the league champion does not get an automatic berth in the playoffs.

As far as anyone can remember, the Toreros — Spanish for "bullfighters" — have had only one player go to the NFL.

Torero Stadium, while bucolic, seats 7,000, or more than 100,000 fewer than Michigan Stadium, where Harbaugh played before going to the Chicago Bears in the first round of the 1987 NFL draft.

Maybe that's what makes the job appealing to Harbaugh, 40, who developed an affinity for USD while playing for the Chargers in 1999-00. His daughter was baptized at USD, and a monsignor from the school was one of the Chargers' chaplains.

"Even then I said, 'That would be a great school for my kids to go to,' Harbaugh said. "I didn't think I'd ever be working here, but it's just that kind of environment, that kind of place where you'd want your kids to go to school."

The hilltop school has stunning

Spanish Renaissance-style buildings and a million-dollar view of Mission Bay and the Pacific Ocean.

"Everywhere you go, people are waving and smiling at you," he said.

In other words, it's far removed from the paranoid, humorless world of the NFL. After all, Harbaugh did come here from the "Black Hole" of the Oakland Raiders, where he was the quarterbacks coach for two seasons after retiring as a player.

Harbaugh's office is in a trailer perched above one end zone, but he doesn't care. To Harbaugh, a program doesn't need a huge stadium or TV exposure.

"The guys here are competitive. They take it seriously. They want to be great. There's no difference to me whether it's NFL, Division I, I-AA, Division II, high school ball or Pee-Wee. It's the same game. It's as important to Evan Harney, our tailback, as it is to Chris Perry at Michigan."

Harbaugh's scrappiness and determination earned him the nickname "Captain Comeback" while with Indianapolis in 1995, when the Colts fell an incomplete pass short of reaching the Super Bowl. He'd like to make a difference at USD, too.

"I want to build something great here," Harbaugh said. "It's not good when you're thinking about, 'How do I get to the next job?'"

During his last eight pro seasons, Harbaugh was an unpaid assistant on his dad's staff at W. Kentucky. He recruited, helped

with spring ball and raised money.

One of the players he enticed to Western Kentucky was Rod Smart, of He Hate Me fame.

Jack Harbaugh couldn't be more proud of his son.

"I have great expectations," said the elder Harbaugh, who coached football for 41 years and is now an associate athletic director at Marquette, where his son-in-law, Tom Crean, is the basketball coach.

"I think he has so much of a passion for what he's doing, so much excitement about it, that I really believe that he's just going to be very successful at this level."

School officials tried to drop football at Western Kentucky in the early 1990s, which was when Jim Harbaugh started to help his dad. He organized an auction to raise money and used some of his

endorsement deals to help the school acquire uniforms and shoes.

When he was with the Bears, he would gather up used equipment and send it to his dad.

"Guys would dip in there and see Richard Dent's shoes or something like that," Jack Harbaugh said. "The sizes might have been too big but they wore them anyway, just to say they wore Richard Dent's shoes."

Jack Harbaugh left Western Kentucky after winning the Division I-AA national championship in 2002.

"Without Jim's involvement, we may not have had football and we never would have won the national championship," said Jack Harbaugh, who will help his son during spring ball and fall camp.

USD fired Kevin McGarry midway through the season for unspecified reasons, then finished the year 8-2 and tied for first place in the Pioneer League's Northern Division.

Ky Snyder, USD's new executive athletic director, said Harbaugh's hiring has given the school credibility in recruiting.

"The opportunity for kids to be coached by a guy like Harbaugh, it's opening doors. Before, we may have been able to get into a home but not get a real shot. Now we have a shot."

Said wide receiver Adam Hannula: "He's a coach who really understands the game but wants to learn more. It's exciting to play for him."

A few friends said Harbaugh was nuts for leaving the NFL, and he got mixed reactions from several coaches before taking the job, including his college coach, Bo Schembechler.

"I kind of thought Bo thought it was a mistake," Harbaugh said.

Raiders owner Al Davis originally thought it was a mistake, too, Harbaugh said. In the end, Davis gave Harbaugh his blessing and some advice.

"Just be great," is what he said. "Just win."

Harbaugh's happy to finally hit the small time

Going from NFL to Div. I-AA San Diego suits former Bear

BY BERNIE WILSON

SAN DIEGO — Sitting in his cramped, cluttered office tucked away on an otherwise spectacular campus, Jim Harbaugh practically gushes about his new job.

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Jim Harbaugh
"The same game"



Ex-Bears quarterback Jim Harbaugh left the Raiders' staff for Division I-AA San Diego, which doesn't offer football scholarships. -AP

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"Just be great," is what he said. "Just win."

AP

Coach Harbaugh brings grit to University of San Diego

4154
By Bernie Wilson
Associated Press

SAN DIEGO — Sitting in his cramped, cluttered office tucked away on an otherwise spectacular campus, Jim Harbaugh practically gushes about his new job.

He even gets a twinkle in his eye while talking about leading his team through conditioning drills at 6 a.m.

"This is where I want to be. I haven't had one day of regret about what I'm doing," said Harbaugh, the former NFL quarterback who's not quite two months into his job as head coach at the University of San Diego, a small Catholic school that has never made waves in football.

"This is the way college football was set up to be, back when Rockne was coaching at Notre Dame," said Harbaugh, the son of a former coach. "It didn't deter from their education, it was an enhancement."

Harbaugh calls it football at its purest, and really, that's the only way it can exist at USD, which plays in Division I-AA.

Academics are king here, although every decade and a half or so, the basketball team makes it to the NCAA tournament. USD is ranked among the top 100 schools nationally by U.S. News & World Report. Tuition and fees for freshmen in 2004-05 will be \$26,660, plus room and board of more than \$9,000.

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In other words, it's far removed from the paranoid, humorless world of the NFL. After all, Harbaugh did come here from the "Black Hole" of the Oakland Raiders, where he was the quarterbacks coach for two seasons after retiring as a player.

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<http://www.baltimoresun.com/sports/bal-sp.harbaugh22feb22,0,1967206.story?coll=bal-sports-headlines>

Harbaugh happy man in I-AA's 'pure' game

College football: The ex-NFL quarterback isn't sorry for a second that he has landed at the University of San Diego.

Associated Press

February 22, 2004

SAN DIEGO - Sitting in his cramped, cluttered office tucked away on an otherwise spectacular campus, Jim Harbaugh practically gushes about his new job.

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SAN DIEGO MAGAZINE

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Still Number One?

There've been a lot of laps around the track since a venerable sporting magazine named our city tops for sports. Do we still measure up?

By Tom Shanahan

IT'S BEEN 25 YEARS since *Sports Illustrated* declared San Diego "Sports Town, USA." A quarter-century later we revisit the notion and wonder: Does the label still hold true?

Those with hair-trigger memories will recall the *SI* article heaped the title on us due to a preponderance of sports participation. We run. We bike and swim. Sometimes we do all three in one day.

But spectators we are not. Sit down on a sunny day to watch a mediocre pro or college team when high surf or open turf beckons? *Not*. For that reason, some might figure sports fans from Midwestern or Eastern cities are steeped in greater tradition.

So what defines a sports town in America today? Can we keep the title?

No San Diegan is better qualified to characterize the San Diego sports fan than Tom Ables. Since 1946, the San Diego State University alum has attended 621 of 623 Aztecs football games (a devotion highlighted by *Sports Illustrated* midway through the 2003 season).

"San Diego fans tend to be fair-weather," Ables says. "At a place like Wisconsin, people go to games win or lose,





Still Number

because they're Badgers. That doesn't happen here." One of many reasons for that, he concedes, is that so many San Diegans are transplants whose loyalties are, at best, divided.

More bad news: The past 25 years saw San Diego regress in an important category—number of big-league franchises, which has gone from three to two. The Clippers, after six unhappy seasons, took their basketball to Los Angeles in 1984. That left just the baseball Padres and the football Chargers. During the same time period, the rapid growth of the National Hockey League resulted in Sun Belt cities like Phoenix, Dallas, Atlanta and Miami supporting four big-league sports.

Another identifying element in today's American sports culture is the proliferation of luxurious, one-sport stadiums. The Padres did finally win their long battle for a signature ballpark. When Petco Park opens this spring, the Pads will abandon Qualcomm Stadium, built in 1967 when multipurpose facilities were en vogue.

San Diego reluctantly confronts the prospect of a new stadium for the Chargers. Business leaders are pushing for a deal. "If

we don't reinvest in our infrastructure," says former San Diego International Sports Council president Ky Snyder, "we're not going to have a pro football team, we're not going to have a place for our college team to play, and we're not going to have a Holiday Bowl."

Snyder could have added that San Diego won't host another Super Bowl—an event successfully staged here three times. Without a new stadium, says the NFL, there won't be a fourth.

SO, YES, WHEN IT COMES TO SPORTS, San Diegans are more into doing than watching. And yet, says Ables, we're so hungry for a winner here, we can still go bonkers when our teams do, occasionally, rise to the top.

In 1984, the Padres returned, embattled, from Chicago to beat the Cubs three straight in the National League Championship Series to advance to the World Series. Hall-of-Fame baseball writer Roger Kahn, author of *The Boys of Summer*, claimed he never heard a louder baseball crowd than that one at San Diego Jack Murphy Stadium.

Ables, whose football Aztecs fell on hard times beginning in 1978, remembers Florida State coach Bobby Bowden's reaction to a rabid SDSU crowd on a 1977 night when the No. 13-ranked Seminoles lost 40-13 to the Aztecs before 50,453, the capacity before the stadium was expanded.

"Bowden said he'd never heard any crowd as loud as that one," says Ables.

The Chargers had a similar special time with their fans in their 1994 Super Bowl season. Retired Chargers quarterback Stan Humphries knew the passion of the Washington Redskins fans early in his career, but he says what he remembers most from his playing days was the night the Chargers returned with their AFC Championship from Pittsburgh to a throng of fans who filled the Mission Valley stadium.

"The highlight of my career is the win in Pittsburgh and coming home," says Humphries. "It was something that was hard to imagine, and something you'll never forget."

A stride San Diego has made as a spectator-sports town is filling the void of mid-size facilities. The openings of Cox Arena at SDSU and the Jenny Craig Pavilion at



One?

the University of San Diego have attracted key sporting events. SDSU has been host to the NCAA men's basketball west sub-regional and the NCAA women's volleyball Final Four. USD hosted the West Coast Conference men's and women's basketball tournaments.

The arenas, packed with fans, have helped the schools' programs attract better talent. SDSU men's basketball advanced to the NAAs in 2002 and the NIT in 2003; USD qualified for the NCAA tourney in 2003. Build the proper venues, and many more national sporting events could come.

RATHER THAN VENUES AND DIE-HARDS, what San Diego has in abundance is the perfect climate for sports. No sport combines elite athletes and weekend warriors—melding spectators and participants—as does running. San Diego boasts three of the nation's most prominent road races: the Carlsbad 5K, the Arturo Barrios 5K and 10K in Chula Vista and the Suzuki Rock & Roll Marathon. The Carlsbad and Barrios races are televised on cable. The Rock & Roll Marathon, which closes entries at 20,000, is considered one of the na-

tion's top marathons, behind Boston, New York and Chicago.

That bygone *Sports Illustrated* story portrayed a San Diego running community spreading a new-age consciousness on the cutting edge of a fitter, gentler nation. The late Dr. Mark Shipman was a psychiatrist who came here to establish a center of leisure study. He spoke of people from New York and other big cities being afraid of having "time to kill," while San Diegans were outside running and swimming. Another psychiatrist, Thaddeus Kostrubala, advocated running as a form of psychotherapy.

Today, fitness and running experts fear San Diego has lost the heartbeat of the 1970s running boom.

Peter Saccone has been a teacher in the Cajon Valley Union School District for 28 years, while also working with youth and adult running groups. His classes include a nationally recognized program called "It's 'Funner' To Be a Runner."

"We're less fit than we were 25 years ago, even though there are more people participating," Saccone says. "Obesity is

CONTINUED ON PAGE 196



a serious problem, especially with children."

Fred Kasch arrived at SDSU in 1948 and was head of the school's Exercise Physiology Laboratory when he retired in 1980. Now 90, Kasch remains active. He still hunts, with bow and arrow, at his second home in Lake Geneva, Wisconsin. Kasch was at the forefront of adult fitness studies during his time

at SDSU. In the mid-1960s, a grant from the National Institutes of Health allowed him to conduct what was considered the first extensive study of physical fitness in adults 40 to 60. But looking back, Kasch says San Diego's prominence in the 1970s running and fitness boom had more to do with the climate than an enlightened population.

"San Diego is still an active city, but I don't think it's as active as it was," says Kasch. "We have a lot of physically active people because we have a great climate, but obesity is a problem everywhere. San Diego isn't immune to the problem."

Thom Hunt says San Diego's college athletic departments have failed to connect with the running or fitness communities. Hunt, a graduate of Patrick Henry High (where he now teaches and coaches), set the American high school indoor mile record (4 minutes, 2.7 seconds) in 1976. He also set the American 10,000-meter road race record (28:12) in 1981. But Hunt left San Diego for the University of Arizona, where he was a seven-time All-American, and trained after college in Eugene, Oregon.

"We have weak Division I track and cross-country college programs," Hunt says. "USD runs a token cross-country program to keep its status for Division I in basketball. San Diego State abandoned its men's track program, and the women's program is sprint-oriented."

"Without strong college programs to attract coaches and athletes, there's no reason to train here. There is no local hero to create interest in the sport among fans. We have always turned out great high school athletes, but they have to leave San Diego to find good coaches and athletes to train with."

The same can be said of other sports. Baseball icon Ted Williams left San Diego for Boston after playing for the minor-league Padres in the late 1930s. In football, three Heisman Trophy winners left San Diego: Marcus Allen (Lincoln High) for USC, Rashaan Salaam (La Jolla Country Day) for Colorado and Ricky Williams (Patrick Henry) for Texas. Bill Walton (Helix) was college basketball's player of the year at UCLA. Chicago Cubs pitcher Mark Prior (University of San Diego High) was college baseball's player of the year at USC.

One San Diegan who did stay home is SDSU junior Chris Walton, Bill's youngest son. But San Diego is a different place than it was when Chris' dad played college hoops. For one thing,

the young USD High grad plays in a new arena that his dad calls "that basketball temple, Cox Arena," for a coach, Steve Fisher, who has an NCAA championship on his résumé from Michigan.

THE SPLIT PERSONALITY of San Diego as a sports town is apparent from two unscientific surveys taken recently, the first at the Shelter Island 5K road race on November 16, the second at the Cincinnati Bengals-San Diego Chargers game on November 23.

Of 100 people queried at the road race, 34 percent say a sports town is defined by participation; 7 percent say spectators are the key. The rest look for a balance. But Jake Colver, a transplanted New Yorker at the road race, thinks a sports-town label goes to Philadelphia or New York, maybe Los Angeles.

At the Chargers game, 38 percent of those polled look for a top sports town to be spectator-oriented. Just 2 percent think joining in makes the grade. San Diegan Rick Laver, tailgating in the parking lot before the game, defines a sports town as spectator-oriented. "Look at the visiting fans here," says Laver. "They're definitely not in shape, but they're big fans."

It's a common knock against San Diego's sports-town reputation that fans from Rust Belt cities take over the stadium against the Padres or Chargers.

Fourth-generation San Diegan Stephen P. Cushman invokes the common defense of the city by saying its strength as a participant sports town contributes to its shortcomings as a spectator sports town. Cushman is an avid runner who often lets family members use his Chargers and Padres season tickets.

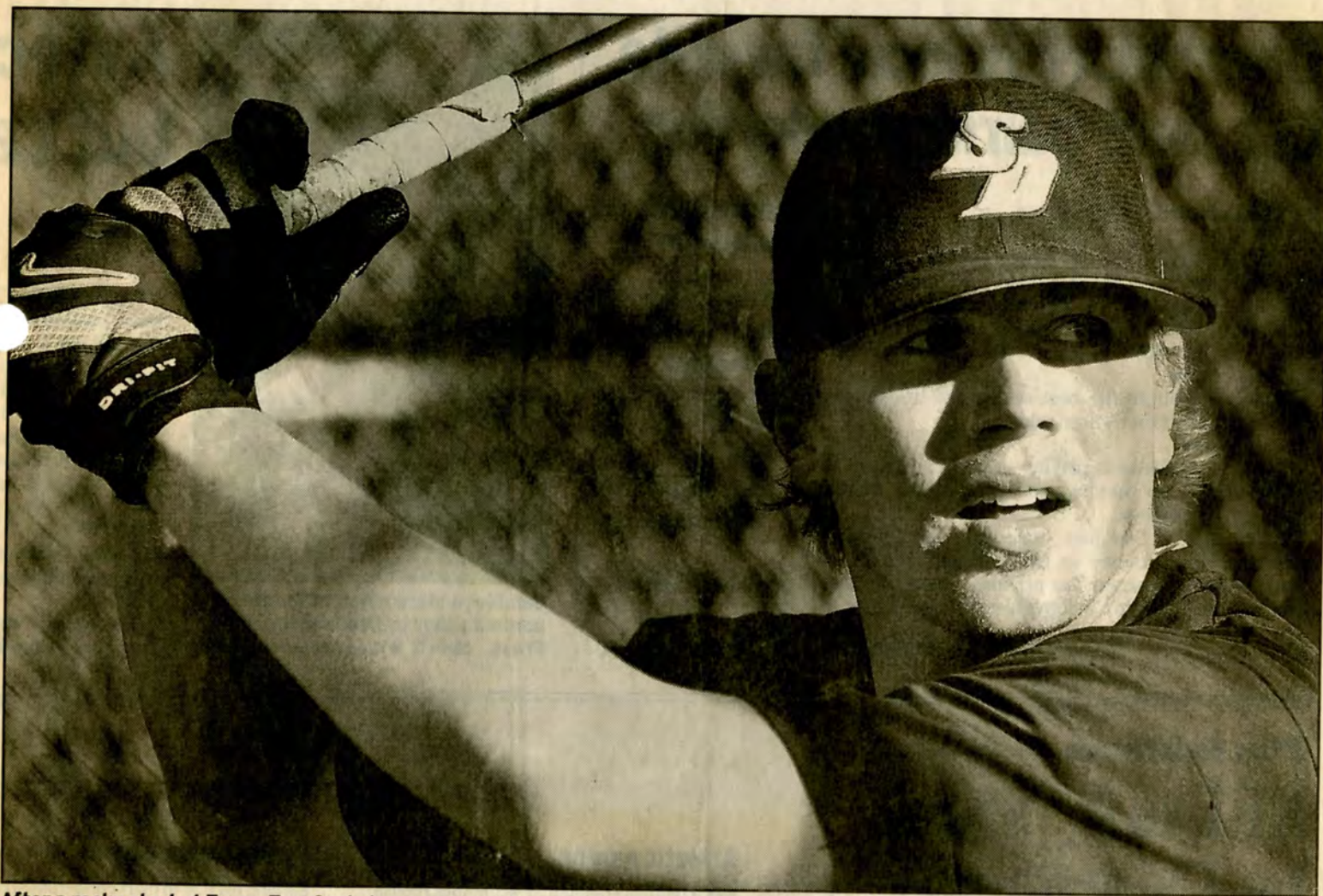
"Our professional teams face a challenge of selling tickets because we are such a great participant sports town," he says. "It's wonderful to have our professional teams, but if the Chargers left tomorrow I wouldn't say we're not a sports town anymore."

Swing the pendulum however you like. We're going to stop here. Until further notice, we're keeping the title. ■

Sunday Special

"It was like I forgot how to play. I was embarrassed, and I just couldn't let it go. It was such a mental meltdown. I was swimming laps in my own head."

TOM CAPLE, USD outfielder/pitcher, on his experience at Texas



After a rocky start at Texas, Tom Caple has come back to earn honors as a centerfielder and pitcher at USD. Don Kohlbauer / Union-Tribune

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Comebacker

Tom Caple put a frustrating freshman year at Texas behind him and realized his potential with Toreros

By Kirk Kenney
STAFF WRITER

4154
Tom Caple didn't know what he was getting himself into when he attended the University of Texas four years ago.

It was an eye-opening experience that perhaps could not be fully appreciated until Caple returned to the Austin campus this weekend with the USD baseball team.

They sing "The Eyes of Texas" after each Longhorns game. They're watchful eyes and they belong to demanding fans, clad in the school's burnt orange. At times as many as 8,000 pairs of eyes are on the Texas baseball team at Disch-Falk Field.

There's a sign on campus that puts it this way: "The University of Texas winning tradition will not be entrusted to the timid or the weak."

Texas coach Augie Garrido learned this firsthand when he replaced the legendary Cliff Gustafson in 1997. Garrido's first two seasons produced a 52-54 record. Who knows what would have happened if Garrido hadn't taken the Longhorns to the College World Series in 2000 and returned with them in 2002 to win the national championship?

"Four gangs of vigilantes have disbanded in Austin because we won the (title) game," said Garrido. "But several still exist."

The 6-foot, 185-pound Caple walked into this environment out of Rancho Bernardo High, off one of the most successful prep careers in section history.

And what he did was take the pressure of playing for one of the

most storied programs in college baseball and ratchet it up by a factor of 10.

He discovered soon enough that it's difficult to get the barrel on the ball with the weight of the world on your shoulders.

Caple got two starts early in the 2000 season against Houston and went 0-for-8. Worse still was when he was called on as a relief pitcher in one of the games. The result of his four-pitch outing went like this: foul-ball home run, single, home run, single.

"I just got shelled," said Caple. "Needless to say, I wasn't too thrilled."

"I jogged off the mound, went into the clubhouse and let out a little aggression."

The worst part was that Caple couldn't put the experience behind him.

"He was used to being the star player, like all of our guys," said Garrido. "A lot of that is because he is totally confident in himself. But it had an effect on his confidence. It became pretty overwhelming."

It began a downward spiral that became so severe that in practice Caple had difficulty doing something as simple as laying down a bunt or throwing to the right cutoff man.

"It was like I forgot how to play," said Caple. "I was embarrassed, and I just couldn't let it go. It was such a mental meltdown. I was swimming laps in my own head."

"The mind plays terrible tricks on you, especially in baseball, where you have to learn to deal with failure."

Except for a few brief appearances, Caple spent the remainder of

the 2000 season watching from the Longhorns bench.

"You have to sit and watch how others deal with failure," he said. "It didn't sink in until I started playing here."

"Here" is USD, where Caple enrolled when he returned to San Diego. He made the most of a fresh start offered by Toreros coach Rich Hill. Caple earned first-team All-West Coast Conference honors as a sophomore and junior centerfielder and pitcher.

Caple served as designated hitter last season when the Toreros hosted Texas for a three-game series. He was eager to pitch against the Longhorns, but offseason shoulder surgery precluded it.

In fact, Caple's slow recovery from the surgery led him to red-shirt last season.

Perhaps it was meant to be this way.

Redshirting saved Caple's senior season, and it gave him an opportunity he otherwise would not have had — to travel to Texas with the Toreros.

It would be the perfect ending to the story to say Caple made a triumphant return.

And, in fact, he was called to the mound yesterday to protect a 3-2 lead late in the game.

Caple retired the first four hitters he faced, but he allowed a solo home run in the eighth to tie it. Texas won 4-3 on a USD throwing error with two outs in the bottom of the ninth.

Caple took the loss, and he accepted it.

"We battled," he said afterward. "That's all you can do. There's always tomorrow."

Texas Tradition

Texas has one of the most storied programs in college baseball history with 47 appearances in the NCAA Regionals and 30 trips to the College World Series. The Longhorns have won five national championships, second only to USC's 12 titles.

Top coach

Texas coach Augie Garrido became the winningest coach in NCAA history last season and is now 1,435-686-8 in his 35th season. Garrido is the only coach to win national championships in four different decades (1979, '84 and '95 with Cal State Fullerton and 2002 with Texas).

Well-armed

You could assemble a pretty good big-league starting rotation with Texas alumni Roger Clemens, Burt Hooton, Shane Reynolds, Calvin Schiraldi and Greg Swindell.

Big-time following

Texas annually ranks among the top three schools in home attendance at Disch-Falk Field, which opened in 1975 and seats more than 8,000.

One year ago

Texas swept USD when the Longhorns came to Cunningham Stadium last season, winning 9-7, 17-4 and 7-2.

On deck

San Diego State travels to Texas for a three-game series Feb. 27-29. It will be the first meeting between the schools.

— KIRK KENNEY

LOCAL COLLEGE BASEBALL

Things go from bad to worse for Aztecs

By Kirk Kenney
STAFF WRITER

LOS ANGELES — San Diego State's baseball team discovered yesterday what happens when the going gets rough:

Louisville

19

Aztecs

6

■ You lose your starting third baseman to a freak injury — at the team hotel.

■ You miss your starting first baseman because the game starts too early.

■ You break in new bats and they do, in fact, break.

And all that was before the Aztecs took the field yesterday against Louisville in the USC Classic. It only got worse.

The Aztecs (6-10) stranded 15 baserunners, committed five errors and walked 12 batters, among other things, in a 19-6 loss to the Cardinals (1-1) at Dedeaux Field.

What do you say after a game like that?

"Thank God it's over," said SDSU coach Tony Gwynn. "They got 10 runs in the last two innings. We couldn't get six outs. We couldn't do the simplest things right."

SDSU third baseman Chad Corona watched from the bench after suffering a second-to third-degree burn on his lower left leg late Friday night. It occurred when Corona stepped into the hotel's steam room. He brushed his leg against the steam outlet jutting from the wall a foot off the floor.

"There was steam in the room and I couldn't see the pipe," said Corona. "It was a freakish thing."

Corona was treated by a doctor Friday night and was to see another doctor after yesterday's game. He will be sidelined until the pain subsides and the threat of infection diminishes.

SDSU first baseman Rielly Embrey missed the first six innings because he was taking a test required to get into graduate school next fall.

There are few test dates, and Embrey determined yesterday's test would not conflict with the Aztecs' schedule. Then the game time was moved up two hours because of the threat of rain.

Light rain forced the Aztecs to hit in the covered batting cages before the game. They

were fortunate no one was injured there when the end caps on seven of the team's new Nike bats broke off during the BP session.

Replacement bats were acquired before the game started, but they didn't help much when the Aztecs stranded eight runners in the first four innings. SDSU trailed just 3-2 entering the sixth before imploding.

Rain in the forecast threatens to wipe out the Aztecs' game today against USC.

"Maybe that's a blessing," said Gwynn.

Toreros rained out

USD's game at UC Riverside was postponed because of rain. The teams are to play today, weather permitting, at 1 p.m. at the Toreros' Cunningham Stadium.

PLNU sweeps Westmont

PLNU center fielder Wayne Scheler hit three home runs to lead the Sea Lions (12-2, 2-0) to a Golden State Athletic Conference-opening doubleheader sweep of visiting Westmont College, 14-4 and 13-5.

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Aztecs, Toreros schedule top foes

By Kirk Kenney
STAFF WRITER

The past two weekends the USD baseball team has faced Texas closer Huston Street and Washington closer Will Fenton.

Street was named the Most Outstanding Player at the College World Series as a freshman in 2002 after setting a record with four saves for the national champion Longhorns. Fenton didn't give up a run in 18 appearances last season for the Huskies.

"I don't think we're going to see two better closers than that," said USD right fielder Joey Prast.

That's the point.

If the programs at USD and San Diego State are to rise on a national level, then the Toreros and Aztecs have to go up against the best players. And the best teams. At least that's the thinking.

"When you play against the best competition possible, you are going to get better," said USD coach Rich Hill. "We have to be mentally tough enough to handle anything that comes."

USD's nonconference schedule is rated No. 12 in the nation by boydsworld.com, an authoritative source on college baseball. The Toreros this season play six teams that went to NCAA Regionals last season and two — Texas and Cal State Fullerton — that reached the College World Series.

San Diego State's nonconference schedule, ranked No. 37, also includes six NCAA Regionals teams. It would have included a seventh and ranked even higher had Arizona State not backed out of a three-game series.

"The No. 1 reason for (the upgraded schedule) was improving our RPI," said SDSU coach Tony Gwynn, who, as a volunteer coach in 2002, saw the Aztecs get overlooked for an at-large regionals berth despite the team's 43 victories.

"The No. 2 reason was playing the best teams to find out how much work you have to do to get there. No. 3 — and this will probably end up being the most important reason — is that's who these kids want to play so they can measure themselves against other people."

This weekend the Aztecs travel to Los Angeles to participate in the USC Classic with Notre Dame, Louisville and the host Trojans. USD meets UC Riverside this weekend for a three-game series. Both the Toreros and Aztecs will face Nebraska, Houston and Long Beach State at the Aztec Invitational, March 11-14 at Petco Park.

"I know people are going to say, 'Oh, Coach Gwynn, you've bit off more than you can chew with Notre Dame and USC and Texas,'" said Gwynn, whose team is 6-8 with the most challenging games to come. "Even though we're not hitting, I still think it's good to play them . . . These are the teams you have to beat to get where you want to go."

SDSU's victory over No. 23 South Alabama last season represented the Aztecs' first nonconference win over a Top 25 team in two years. The Aztecs are still looking for the next one. There's an opportunity today against No. 19 Notre Dame and next weekend in a three-game series at No. 6 Texas.

The Longhorns swept USD in a three-game series two weeks ago in Austin. Two of the losses were by one run, with the Longhorns scoring in the ninth inning for one win and in the 10th for another. So close, but . . .

Perhaps the nonconference schedule has been a springboard to success for USD. The Toreros reached the NCAA Regionals for the first time in 2002 and made an encore appearance last season.

"We shoot for the stars," said Hill. "If we fall short, we may get the moon."

LOCAL COLLEGES

This Aztec zeros in on winning formula

By Kirk Kenney
STAFF WRITER

4154

San Diego State right-hander Chris Hartshorn allowed just one run last week against UC Santa Barbara, but got the loss when the Aztecs were shut out.



Chris Hartshorn

Hartshorn pitched a shutout of his own yesterday at Santa Clara. You can't beat that.

SDSU salvaged the third game of the series, riding Hartshorn's three-hitter to a 4-0 victory at Buck Shaw Stadium.

Hartshorn pitched to just two batters over the minimum against the Broncos (5-3), walked one and struck out three. He halted a three-game losing streak for the Aztecs (6-8) in the process.

"That was the biggest part," Hartshorn said before boarding a plane with the team and heading for home. "We had a players-only meeting before the game where we talked about somebody stepping up and getting it done."

Hartshorn (3-1), more than anyone, has been that person this season.

The 6-foot-1, 185-pound senior from Eden Prairie, Minn., has accounted for half his team's victories. Hartshorn would be undefeated had the Aztecs mustered any offense in last week's 2-0 loss to UCSB.

"It's something I really can't control," he said. "It was nice to get some runs today."

Santa Clara did its part to

jump-start SDSU's offense. The game's first two runs scored on wild pitches in the fourth inning. The Aztecs padded the lead with runs in the seventh and eighth.

In Hartshorn's loss a week ago, SDSU coach Tony Gwynn said the pitcher "deserved a better fate."

That's what Hartshorn was thinking last season when elbow problems forced him to the sideline. He received a medical redshirt. Now he's throwing "free and easy."

And you can't beat that.

Toreros lose big

Washington made plenty of progress in its season-opening series in San Diego.

The Huskies went from Friday's loss to Saturday's extra-inning win to yesterday's 13-3 blowout over ~~USD~~ at Cunningham Stadium.

"Give a lot of credit to Washington," said USD coach Rich Hill. "They kept getting better every time out. When we made mistakes, they hammered them."

Right from the start, when Huskies shortstop Brent Lillibridge hit the game's first pitch for a home run.

Washington (2-1) collected seven runs — five earned — off starting pitcher Justin Blaine in the first three innings.

The Huskies had a 13-1 advantage before USD (4-8) tacked on two runs in the ninth. In fact, the Toreros had just two hits through eight innings before collecting three in their last at-bat.

Softball

Kelcy Murphy's sacrifice bunt in the eighth inning scored Erin Mahoney, enabling SDSU to beat visiting Mississippi State (7-4) 2-1 and win the Aztec Invitational.

The Aztecs (7-5) beat Oklahoma State (1-3) 11-2 earlier in the day in a game that was suspended Saturday because of darkness.

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Toreros lose lead in ninth, fall in 10th

By Kirk Kenney
STAFF WRITER

4154

A team searching for its identity early in the season will experience its share of highs and lows.

What makes it especially difficult is when a win is within your grasp, then falls through your fingers.

USD was three outs away from a win yesterday against Washington, but the Huskies rallied for a 10-6 victory in 10 innings at Cunningham Stadium.

"When you have a lead in the ninth, those are always the toughest defeats to swallow," said USD coach Rich Hill, whose team took a 6-5 lead into the ninth.

Washington scored an unearned run to send the game into extra innings.

Hill didn't dwell on it when he gathered his team down the left-field line afterward.

"We don't talk about the losses and wins," he said. "We focus on the play and molding guys who are going to be ready to play."

The Toreros went through this last season, losing eight straight games in the midst of a 2-9 start. But they came together to win their second straight West Coast Conference championship and make a second straight NCAA Regionals appearance.

The loss to Washington (1-1) was the sixth in seven games for the Toreros (4-7), but no alarm sounded following the final out.

"When we get into conference, we will have seen the best," said USD right fielder Joey Prast, who fully expects the Toreros to reach the post-season again. "These are the teams we're going to be playing in the Regionals."

USD kept after the Huskies, overcoming 2-0 and 5-2 deficits — highlighted by Tom Caple's two-run homer in the sixth inning — to take a 6-5 lead in the seventh.

The comebacks were required because Toreros fielders had a couple of defensive lapses and Toreros pitchers

made a couple of pitches that didn't find their intended spots.

It appeared things would be OK, except Washington put four runs on the board in the 10th. Even comeback teams don't come back against Huskies closer Will Fenton (1-0), who earned All-America honors last season when he compiled a 0.00 ERA.

The junior right-hander made 18 appearances covering 32 1/3 innings without allowing a run, earned or otherwise.

Fenton appears intent on doing it again.

Aztecs lose to Broncos

Santa Clara scored six unanswered runs for a 7-5 victory over San Diego State at the Broncos' Buck Shaw Stadium.

David Hall hit a bases-loaded double in the third inning to give the Aztecs an early 3-0 lead. SDSU (5-8) expanded its advantage to 5-1 before Santa Clara (5-2) rallied for three runs in the sixth to make it 5-4.

SDSU closer Ryan Schroyer (1-1) entered the game in the eighth, but the Broncos pushed across three runs with four singles for the win.

PLNU wins slugfest

Point Loma Nazarene University first baseman Jud Richards took advantage of windless conditions at Land Stadium, hitting two three-run homers to lead the Sea Lions to a 14-10 home victory over Willamette (Ore.).

"This was the type of day you hope for as a hitter," said Richards, who is batting .528 with four homers and 23 RBI in 10 games. "You better do something when you get it."

PLNU (9-1) and Willamette (4-2) combined for 26 hits and seven homers. PLNU catcher Will Craig had a homer and three RBI.

UCSD gets split

UCSD worked for a double-header split at Cal State Los Angeles, winning the nightcap 4-2 after dropping the opener 15-11. It was the opening series of conference play for the Tritons (8-4, 2-2 California Collegiate Athletic Conference).

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LOCAL COLLEGES

Texas beats Toreros with run in the 10th

UNION-TRIBUNE

4154

USD gave No. 9 Texas a scare for the second straight game, but the Longhorns pushed across a run in the 10th inning yesterday for a 6-5 victory before 4,128 at Austin's Disch-Falk Field.

Texas first baseman Curtis Thigpen drove in the winning run with a single up the middle off USD reliever Josh Butler (0-1), giving the Longhorns (6-0) a sweep of the three-game series.

USD third baseman Freddy Sandoval was 4-for-5 with three RBI for the Toreros (3-6). Sandoval doubled home a run in the fifth to make it 4-4. He had an RBI single in the seventh to make it 5-5 after Texas had regained the lead.

UCSB shuts out San Diego State

Senior right-hander **Chris Hartshorn** turned in the strongest pitching performance of the season for San Diego State, but the Aztecs offense was absent in a 2-0 loss to UC Santa Barbara at Tony Gwynn Stadium.

Hartshorn (2-1) allowed one run over seven innings with nine strikeouts and one walk. He allowed just four hits, but three of them came in the first inning when UCSB (2-1) pushed across its first run. The Gauchos added another run in the eighth off reliever **Ben Coon**.

Three Gauchos pitchers limited the Aztecs (5-6) to three hits, only one after the second inning. Freshman designated hitter **Brock Ungricht** had two hits for SDSU and extended his hitting streak to 10 games.

— KIRK KENNEY

Softball

USD lost to Colorado State 12-2 in its final game of the Mustang Classic in San Luis Obispo. The Toreros (3-5) went 0-5 in the tournament.

Marissa Merchain's single in the top of the first scored **Kim Delpit** and **Alicia Massei** drew a walk that scored Merchain for an early 2-0 lead, but it was all Rams (5-2) from then on.

Tennis

USD's **Lauren Perl** beat Cal Poly's **Samantha Waller** 6-1, 7-6 in the singles No. 1 match and both **Emma Murphy** (No. 2) and **Chelsy Thompson** (No. 3) won their matches, but USD (1-3) fell 4-3 to visiting Cal Poly . . . USD's men's team remained perfect after beating Loyola Marymount 7-0. The Toreros are now 4-0.

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LOCAL COLLEGE BASEBALL

Aztecs get a boost from the bench to beat UCSB

By Kirk Kenney, STAFF WRITER

4154

Josh Hill had one hit in 18 at-bats last season for San Diego State.

"When you just get pinch hits, it's tough to get the rhythm," said Hill, who has been side-tracked by injuries.

SDSU's recent offensive struggles prompted coach Tony Gwynn to give Hill a rare start as the designated hitter in yesterday's game against UC Santa Barbara. The senior from El Capitan responded with three hits, including a bases-loaded triple in the first inning that helped SDSU to an 8-5 win over the Gauchos at Tony Gwynn Stadium.

"I had a hunch because he was swinging the bat well in practice," said Gwynn. "It paid off

huge. That first hit gave him a ton of confidence."

Hill added a single in the third and a double in the fifth. By the eighth, UCSB (1-1) didn't want any more to do with him. Hill was walked intentionally.

"My sermon to the team this morning was that when you get the opportunity you have to cash it in," said Gwynn.

Hill did. So did senior Ryan Wilson, who was inserted at second base. Wilson had three singles and a sacrifice fly for four RBI.

"It's kind of my role to go to the ballpark each day ready to play," said Wilson, who has played five positions during his four-year career. "Coach Gwynn says everyone is going to get their chance. When you do, you want to

make it hard for them to take you out (of the lineup) again."

Starting pitcher Daryl Harang (1-1) got the win for the Aztecs (5-5).

Toreros lose to Texas

Texas scored on a throwing error with two outs in the bottom of the ninth inning for a 4-3 win over USD before 4,729 at Disch-Falk Field in Austin.

USD freshman left-hander Nate Boman (Patrick Henry) allowed two runs, both in the first inning, and four hits over five innings.

The Toreros (3-5) battled back with a run in the third to make it 2-1 and two in the seventh for a 3-2 lead. In the eighth, Curtis Thigpen hit a solo homer to tie it for No. 9 Texas (5-0).



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LOCAL COLLEGES

Gwynn's kids lose to Sacramento St.

By Kirk Kenney, STAFF WRITER

San Diego State spent the day trying to overcome its mistakes, but it proved to be an insurmountable task in the Aztecs' 10-8 loss to Sacramento State yesterday at Tony Gwynn Stadium.

Sacramento State's first seven runs were unearned and the Hornets' eighth run came on a bases-loaded walk.

That the Aztecs (3-4) found themselves tied 8-8 through eight innings was due to production at the bottom of the batting order, led by No. 8 hitter Chad Corona's double, homer and three RBI.

SDSU designated hitter Brock Ungricht added three hits, second baseman Sam Pepper had two hits and left fielder Curt Mendoza had two RBI.

All that effort was overshadowed by Sacramento State left fielder Jim Strombach's solo homer in the ninth inning off Aztecs reliever Daryl Harang. The Hornets (2-0) tacked on another unearned run for good measure.

The teams complete the three-game series today at noon at Tony Gwynn Stadium.

Toreros routed

So much for the pitching.

After allowing one run over a stretch of 28 innings, USD pitchers were pounded for 21 hits — including eight home runs — yesterday in a 24-14 loss at Cal State North-

ridge.

The Toreros (3-2) actually jumped out to a 7-0 lead in the second inning before the Matadors (1-1) began their assault.

Northridge closed the gap to 7-5 by the third inning, collecting more runs than the Toreros had allowed in their first four games combined.

The Matadors were just getting started, however. They added seven more runs in the fourth inning — chasing USD starter pitcher Justin Blaine in the process — for a 12-7 lead. Blaine allowed nine runs (seven earned) in three-plus innings.

Four USD relievers followed Blaine to the mound and didn't fare much better as Northridge doubled its score from the fifth through the eighth.

USD tacked on six runs over the final two innings and finished with 16 hits of its own. Third baseman Freddy Sandoval and left fielder Josh Hansen led the Toreros with four RBI apiece.

Northridge right fielder John Voita had a career day with two homers and six RBI. Teammate Mark McCauley added a homer and five RBI.

More baseball

PLNU swept visiting Occidental 12-1 and 10-0, banging out 19 hits on the afternoon. First baseman Jud Richards had three hits and seven RBI for PLNU (2-0). Sea Lions pitcher Chris Hill struck out six

over six innings for the win in the Game 1, and reliever Tony Wright earned the win in the nightcap.

■ UCSD swept visiting Regis University of Colorado 5-2 and 16-6. Tritons shortstop Keith Hernandez, an RBV alumnus, went 3-for-3 in the first game and 4-for-5 in the nightcap, and both Jeff Riddle and Ricky Pinocchio were 3-for-3 in Game 1 and 2-for-4 in the second game for the Tritons (2-0). Rafael Bergstrom picked up the win in the first game; Shlomo Lipetz won in relief in the second game.

Softball

USD shut out visiting Whittier College twice, 9-0 and 8-0. Both games were called after five innings because of the 8-run rule. Sophomore Sara Mason was 5-for-5 on the day with three triples, two runs scored and four RBI for USD. Pitchers Gina McFarland and Anna Russell pitched back-to-back two-hitters for the victories for the Toreros (2-0).

■ Host PLNU swept La Verne 6-2 and 10-1. Sophomore right-hander Kelly Kalish struck out six over six innings in the first game, and Amy Nanson went 3-for-4 and Lisa Field went 2-for-3 with three RBI. Mt. Carmel alumna Laura Wiens fanned five over five innings in the nightcap as MacKenzie Gerke, Jessica Casillas and Alexis Powell had two hits apiece for the Sea Lions (2-0).

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LOCAL COLLEGES

Aztecs held to one hit in 9-0 defeat at Texas

UNION-TRIBUNE

4154
San Diego State had trouble scoring runs in its three-game series at the University of Texas, but yesterday the Aztecs had trouble just getting a hit.

The No. 6 Longhorns (15-2) limited SDSU (7-13) to Jake McLintock's leadoff single in the third inning on the way to a 9-0 win before 4,139 at Disch-Falk Field.

McLintock was one of just three Aztecs base runners — Landon Burt walked and Jordan Swaydan was hit by a pitch — in the game. None made it past first base.

SDSU starting pitcher Chris Hartshorn (4-2) struggled for the first time in six outings, allowing six hits and seven runs in six innings.

Texas' Sam LeCure (3-0),

who struck out seven in seven innings, combined with two relievers on the shutout.

It was the second time the Aztecs were shut out in the weekend series. They have scored two runs or fewer in five of their past 10 games and are averaging fewer than five runs on the season.

SDSU plays host this weekend to North Carolina State for a three-game series.

— KIRK KENNEY

Softball

SDSU split a doubleheader with host UC Santa Barbara, dropping the first game 4-3 and rallying for a 5-1 win in the second game.

UCSB pitcher Jennifer Davis helped herself in the first game with a two-run home run in the second inning. Meagan Har-

tung had two of the Aztecs' four hits.

Not to be outdone, Deanna Richards allowed two hits to UCSB (12-11) in the second game and hit a solo home run that was part of a four-run second inning for the Aztecs (11-10).

Richards has a 4-3 record. Bree Boyer, Joann Figueroa and Bridgette Caron each had two hits for the Aztecs.

At USD, center fielder Cindy Magee went 2-3, but USD lost 10-2 to Loyola Marymount. The Toreros (7-9) had their winning streak stopped at three. Trisha Gomes drove in three runs for LMN (11-5). USD committed five errors.

Women's water polo

SDSU beat Michigan 5-3, then defeated Cal 6-5 in over-

time to close out the UCSB Invitational in Goleta with a 3-1 record.

Goalie Ashley Zabel had 12 saves for the No. 5 Aztecs (12-2) against the No. 8 Wolverines (14-6). Rachel Serna had two goals.

The Aztecs allowed No. 6 Cal (12-5) to come back from a 5-1 deficit before Onweller's overtime goal, her third score of the game.

More baseball

Cal Poly Pomona beat host UCSD 4-2 in the continuation of a Saturday game that had been suspended because of darkness. The Tritons (12-7 overall, 5-5 California Collegiate Athletic Association) managed just four hits. Marc Evans homered for the Broncos (11-6-2, 8-3-1).

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LOCAL COLLEGES

Toreros split softball doubleheader with University of Redlands

UNION-TRIBUNE

4154
USD's softball team split a doubleheader with the University of Redlands (3-2-1) yesterday. Lindsay Sutton (West Hills) shut out the host Tore-

ros (4-7) 2-0 in the first game, but USD's offense came to life in the second, pushing the Toreros to an 8-0 victory.

More softball

UCSB (10-5) beat host

SDSU (5-5) 1-0 in eight innings yesterday in the first game of the Aztec Invitational.

In the second game, SDSU led **Oklahoma St.** (1-2) 10-2 in the fourth inning before play was suspended due to

darkness.

The game will resume at 9 a.m. today.

A familiar refrain:

USD loses, falling to 0-17 on the road

By Bill Stewart 4154
SPECIAL TO THE UNION-TRIBUNE

PORTLAND — About this time last year, Brad Holland was getting his University of San Diego basketball team ready to make an unscathed run through the West Coast Conference tournament. This year, Holland is just trying to get his team through the season.

After dropping 16 of their previous 17 games, the Toreros were hoping to improve their fortunes against the University of Portland, a team that was in the midst of a mini downward spiral of its own. But the Pilots handed San Diego a 89-78 setback last night.

Portland snapped a five-game losing streak.

It was a game the Pilots led the entire way and most of the time by double digits.

"I don't know if we did anything particularly well. From what I observed, they outplayed us in almost every facet of the game," San Diego coach Brad Holland said.

With just 10 players suited up and only six of them on scholarship, the Toreros quickly found themselves playing catch-up against the Pilots. Portland made eight three-pointers in the first half, including four by Casey Frandsen and led by as many 17 points.

USD is now 0-17 on the road this season.

Through the first 13 minutes, USD had made only three field goals, all during a one-minute span. The Toreros (4-25, 1-13 WCC) did manage to cut their deficit to 41-28 at halftime, thanks to a 9-2 run that featured four points by Brice Vounang.

The USD forward didn't start the game but scored 11 first-half points while making 5-of-6 from the field.

Portland hasn't had much

luck holding onto second half leads lately but the Pilots widened their lead early in this half. Including the last basket of the first half, Portland went on an 18-6 run that pushed the advantage to 56-34.

It looked pretty bleak at that point but San Diego came back with a 14-3 run that trimmed the deficit to 59-48. That comeback included four three-pointers by the Toreros, two of them from Brad Lechtenberg.

It was 65-55 with eight minutes left and San Diego could have knocked the deficit down to seven points but Nick Lewis missed an open three-pointer from the top of the key.

About two minutes later, Lewis was whistled for an off-the-ball foul on a three-pointer by Frandsen. In the midst of arguing the call, Lewis was also called for a technical foul. Portland's Eugene Jeter hit two free throws for the technical and teammate Patrick Galos added one more for the foul, pushing

Portland's lead to 78-59.

The Toreros still battled, though. A pair of threes by Lechtenberg and five consecutive points by Brandon Gay narrowed Portland's lead to 86-74 with 2:09 left. But San Diego wasn't able to keep the streak going and Portland (11-16, 5-9 WCC) managed to run out most of the remaining time.

It was a night in which the short-handed Toreros just couldn't catch up.

"That's nothing new to us," Holland said. "We've been undermanned the entire season."

Lechtenberg led the Toreros with a career-high 23 points. All seven of this field goals came from three-point range, on just nine attempts. Gay added 21 points, including a 15-of-17 effort from the foul line, and had nine rebounds. Vounang finished with 17 points, only six in the second half.

Frandsen finished the game with 21 points, including six three-pointers.

SUMMARY

Portland 89, USD 78

USD	Min	FG-A	FT-A	R	A	F	Pts
Gay	29	3-10	15-17	9	1	4	21
Hubbard	26	1-3	1-3	3	1	2	3
Lewis	22	2-6	4-6	7	2	3	9
Lechtenberg	34	7-10	2-2	0	2	2	23
Fogel	23	0-1	0-1	2	3	4	0
Melton	33	2-6	0-0	4	3	3	5
Vounang	29	5-8	7-8	6	2	3	17
Hannula	4	0-1	0-0	0	0	1	0
Totals	200	20-45	29-37	35	14	22	78

Percentages: FG .444, FT .784, 3-Point Goals: 9-19, .474 (Lechtenberg 7-9, Melton 1-3, Lewis 1-3, Fogel 0-1, Gay 0-3). Team Rebounds: 4. Blocked Shots: 2 (Lewis, Fogel). Turnovers: 17 (Hubbard 5). Steals: 4 (Hannula 2). Technical Fouls: Lewis.

PORTLAND	Min	FG-A	FT-A	R	A	F	Pts
Wilson	33	7-11	3-4	4	7	1	18
Geddis	36	3-9	4-4	8	1	5	10
Vance	15	1-1	0-0	0	0	3	2
Quick	31	2-7	3-4	2	8	2	8
Frandsen	27	6-16	3-3	2	4	2	21
Minor	1	1-1	0-0	1	0	0	2
Gahlmann	1	0-0	0-0	0	0	0	0
Jeter	28	4-10	4-5	3	3	2	15
Aaker	11	2-5	2-2	1	0	5	7
S.Smith	1	0-1	0-0	0	0	0	0
Galos	16	2-3	2-4	3	0	5	6
Totals	200	28-64	21-26	30	23	25	89

Percentages: FG .438, FT .808, 3-Point Goals: 12-33, .364 (Frandsen 6-15, Jeter 3-7, Wilson 1-2, Quick 1-4, Aaker 1-4, Geddis 0-1). Team Rebounds: 6. Blocked Shots: 6 (Geddis 5). Turnovers: 10 (Geddis 3, Frandsen 3, Jeter 3). Steals: 8 (Wilson 3, Geddis 3). Technical Fouls: None.

USD (4-25, 1-13)	28	50	- 78
Portland (11-16, 5-9)	41	48	- 89

A-1,664. Officials—Mike Peterson, Kevin Brill, Chuck Jannelli.

West Coast Conf.

	Conference			Overall		
	W	L	Pct.	W	L	Pct.
x-Gonzaga	14	0	1.000	25	2	.926
Pepperdine	9	4	.692	14	14	.500
Saint Mary's	8	5	.615	17	11	.607
San Fran	7	7	.500	17	13	.567
Santa Clara	6	8	.429	14	15	.483
Loyola Mary.	5	9	.357	14	13	.519
Portland	5	9	.357	11	16	.407
USD	1	13	.071	4	25	.138

x—Clinched conference

Yesterday's Games

Portland 89, USD 78
Gonzaga 80, Santa Clara 64
San Francisco 66, Loyola Marymount 61

Today's Game

Pepperdine at Saint Mary's, noon
(End regular season)

SCHEDULES

WCC CHAMPIONSHIPS
At Santa Clara

Men's Tournament, March 5-8
Women's Tournament, March 4-7

SAN DIEGO UNION-TRIBUNE

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Gonzaga proves Holland prophet

4154

Last summer, USD men's basketball coach Brad Holland was touting West Coast Conference rival Gonzaga as a team worthy of a Top 10 national ranking from start to finish of the 2003-2004 season.

He was almost right. The Bulldogs have been a Top 20 team all season, a Top 10 resident for the last five weeks and, as of Monday, No. 4 in the nation, a school best.

"And they deserve everything they're getting," Holland said.

Not that Holland is taking any satisfaction in being right.

Tonight at 8 his Toreros, two games from ending a regular season that has degenerated to a 4-23 overall record and 1-11 WCC mark, must face the 23-2, 12-0 Zags.

In Spokane, Wash. Before 5,000 howling Bulldogs fans and a national cable TV

(ESPN2) audience. And Holland's team is down to 10 players, only six of whom are on scholarship.

One of the 10, leading scorer and rebounder Brice Vounang, is not 100 percent because of a knee sprain. A decision on if or how much Vounang plays will be made close to game time.

"It's a challenge," Holland said. "But we'll go in there and do the best we can with what we've got."

"I see Brice playing for sure (Saturday) against Portland. But if he is uncomfortable with (the knee), I'm not going to play him."

Gonzaga has won 10 of the last 11 meetings in the series with USD.

The only Toreros victory was in last year's West Coast Conference Tournament championship game, which sent USD to the NCAA Tournament.

— HANK WESCH

Short-handed USD almost upsets USF

By Hank Wesch
STAFF WRITER

The USD men's basketball team missed injured starters Brice Vounang and Mike McGrain last night.

USF
85

Toreros
75

The Toreros also missed free throws — 15 of them to be exact. And the combination proved fatal in an 85-75 loss to USF before 1,531

at the Jenny Craig Pavilion.

The defeat in the home season finale was the fourth straight and the 15th in the last 16 games for USD (4-23, 1-11 West Coast Conference). And Toreros forward Brandon Gay, who had a superb night of 29 points and 14 rebounds before fouling out with 3:58 to play, allowed that the loss was one of the most painful of them all.

"It hurts a lot, because this game was ours," Gay said. "There haven't been that many games that we've had a chance to win like this one."

"It was 100 percent golden for us to take it. And we just gave it back to the jeweler."

Vounang, the 6-foot-8 junior center who is the team leader and among the top three in the WCC in both scoring and rebounding, was on the bench with a knee sprain incurred in Wednesday's loss to Saint Mary's. McGrain, the junior guard who is the team's most experienced backcourt player, is out for the remainder of the season with a fractured thumb.

And still the Toreros, with a starting backcourt of freshman Michael Hubbard and walk-on freshman Avi Fogel against a persistently pressing USF defense, managed to take a 42-35 lead at halftime and led by as many as eight in the first 13 minutes of the second half.

Then, with 6:50 remaining and USD leading 65-59, Toreros sophomore Nick Lewis, a 73 percent free throw shooter as a freshman and 75 percenter this year, missed two free throws. USF got the rebound, came down the floor and got a quick three-pointer from its

leading scorer, Tyrone Riley (16 points, 8 rebounds).

The five-point swing started USF on a run that took the Dons to a 71-67 advantage when Gay was assessed a charging foul that took him out of the game with 3:58 remaining and essentially sealed USD's fate.

"We didn't keep our momentum by making our free throws," USD coach Brad Holland said. "We had a golden opportunity to get our second conference win. We attacked their press well. With two freshman point guards, we did a heck of a job."

"But the story line is real simple. We lost the game at the free throw line."

USD, which came in shooting 67 percent from the line as a team, made 16-of-31. USF (16-12, 6-6 WCC), a 62 percent team coming in, made 22-of-24 (91.7 percent).

Led by Riley, USF had six players in double figures and needed them to offset the scoring of Gay, who topped Vounang's 28 against Pepperdine for the highest single game total of the year. Lewis (16 points, 13 rebounds) and Brett Melton (10 points) also reached double figures for the Toreros.

Like the other six WCC coaches who had brought teams to the JCP and left with a victory this year, USF's Phil Mathews was complimentary about the Toreros.

"It's unfortunate about the injuries, but Brad has it so there is no quit in that team," Mathews said. "They may be 4-22, but they played like they are 22-4."

"They handled the adversity and we struggled."

Gay shot 70 percent from the floor, including 3-for-3 from three-point range, in scoring 19 points in a first half that ended with USD leading 42-37.

In the course of the half, USD fought back from a nine-point deficit with under 10 minutes to play and pulled away from a 35-35 tie with a 7-2 run in the final 2:33 capped by Melton's fallaway 16-foot jumper at the buzzer.

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Injuries make task tougher for Toreros

By Hank Wesch
STAFF WRITER

4154

USD junior point guard Mike McGrain is out for the remainder of the basketball season, and time will tell whether the same proves true for junior forward/center Brice Vounang.

Both players were injured Wednesday in an 87-67 loss to Saint Mary's and underwent follow-up examinations yesterday.

USD athletic trainer Carolyn Greer said that McGrain has a nondisplaced fracture to the tip of his right thumb, an injury that takes 2-4 weeks to heal. "There are a lot of nerve endings in that area of the thumb," Greer said. "Since it is his dominant hand, he would have pain trying to pass the ball, pain receiving the ball and it just wouldn't be good."

An MRI of the right knee showed Vounang, USD's leading scorer and rebounder, has a first-degree sprain of the medial collateral ligament but no tear. He is definitely out for tomorrow's final home game against San Francisco but will undergo therapy and be re-evaluated early next week.

After tomorrow's game the 4-22 Toreros are at Gonzaga and Portland next week to complete the regular season before the March 5 start of the WCC Tournament.

USD sets mark for losses (22); two more hurt

By Hank Wesch
STAFF WRITER

Just when it looked as if things couldn't get any worse for the USD men's basketball team, they did.

The Toreros lost another game last night, 87-76, to Saint Mary's before 1,523 at the Jenny Craig Pavilion to set their school-record, single-season loss total at 22 against four wins.

And if that wasn't bad enough, USD may have lost leading scorer Brice Vounang and starting guard Mike McGrain to injuries.

Vounang suffered damage of undetermined degree to the medial collateral ligament of his already tender right knee when Saint Mary's 6-foot-10, 250-pound sophomore center, Daniel Kickert, fell into it with 12:09 remaining.

Earlier in the second half, McGrain injured his right thumb tangling with a Saint Mary's defender.

Vounang will undergo an MRI on his knee today and McGrain's thumb will also be examined. Team doctor Paul Murphy's early prognosis was not optimistic.

"Dr. Murphy said that if Brice's knee is even minimally a sprain or strain he's probably out for the season," coach Brad Holland reported. "And if Mike McGrain's thumb is fractured, his season is probably over too."

"It's unbelievable. What can you say (about the misfortunes of the season)? There's nothing to say."

The Gaels threw a defensive blanket over Vounang, who came in averaging 17.5 points and seven rebounds.

Saint Mary's coach Randy Bennett said the Gaels didn't specifically plan to shut down Vounang. But that's the way it worked out.

"I thought our defensive effort was very good," Bennett said. "This late in the season, you're looking for that and I'm proud of our guys."

Nick Lewis led USD with 18 points. Brandon Gay (13) and Brett Melton (12) joined Lewis and Vounang in double figures.

Saint Mary's (16-10, 7-4 West Coast Conference) put on a torrid shooting performance to build a 14-point halftime lead, then was workmanlike in the final 20 minutes. The Gaels shot 73 percent overall from the floor (19-for-26) and 70 percent from behind the three-point line (7-for-10) in the first half and ended the game with percentages of 61.5 and 43.5 percent, respectively, in the categories.

Junior guard Paul Marigney had 17 points in the first half and finished with 25, tops among four Gaels scorers in double figures.

"That doesn't surprise me," Marigney said when informed of the halftime percentages. "We're a pretty good shooting team. We didn't take them lightly and we played good defense and guarded the whole game."

SUMMARY

Saint Mary's 87, USD 67

SAINT MARY'S	Min	FG-A	FT-A	R	A	F	Pts
Poole	19	2-4	1-1	1	0	3	5
Sanders	17	1-2	2-2	3	1	2	4
Kickert	29	7-11	1-2	3	0	2	16
Marigney	30	8-14	4-5	5	4	2	25
Herr	35	4-7	0-0	4	3	2	11
Rowland	32	6-9	3-4	4	7	1	16
Boreman	2	0-0	0-0	0	0	0	0
Waddy	4	0-1	0-0	0	0	1	0
Rhalimi	2	0-0	0-0	0	0	2	0
Sholberg	4	1-1	0-0	1	0	0	2
Adjiwanou	26	3-3	2-2	6	0	2	8
Totals	200	32-52	13-16	27	15	17	87

Percentages: FG .615, FT .813. 3-Point Goals: 10-23, .435 (Marigney 5-10, Herr 3-6, Rowland 1-2, Kickert 1-3, Waddy 0-1, Poole 0-1). Team Rebounds: 0. Blocked Shots: 3 (Adjiwanou 3). Turnovers: 19 (Marigney 3). Steals: 11 (Poole 3, Marigney 3). Technical Fouls: None.

USD	Min	FG-A	FT-A	R	A	F	Pts
Gay	22	5-7	3-3	5	1	3	13
Vounang	25	3-6	5-6	3	1	1	11
Lewis	33	7-14	2-2	3	1	1	18
McGrain	20	1-2	0-0	2	2	0	2
Fogel	18	1-3	0-0	2	0	0	2
Melton	29	5-10	1-2	2	0	2	12
Lechtenberg	19	1-3	0-0	2	1	2	3
Hubbard	20	1-4	0-0	2	1	3	2
Traaen	2	0-0	2-2	0	0	0	2
Hannula	2	0-1	2-2	0	0	0	2
Bonifer	10	0-3	0-0	1	1	3	0
Totals	200	24-53	15-17	24	8	15	67

Percentages: FG .453, FT .882. 3-Point Goals: 4-10, .400 (Lewis 2-2, Melton 1-2, Lechtenberg 1-2, McGrain 0-1, Hannula 0-1, Hubbard 0-2). Team Rebounds: 2. Blocked Shots: 2 (Gay, McGrain). Turnovers: 19 (Vounang 4, Lewis 4). Steals: 7 (Gay 2, Lechtenberg 2). Technical Fouls: None.

Saint Mary's (16-10, 7-4) 51 36 - 87
USD (4-22, 1-10) 37 30 - 67

A-1,523. Officials-Dave Libbey, Thomas Wood, Tim Gabutero.

West Coast Conf.

	Conference			Overall		
	W	L	Pct.	W	L	Pct.
Gonzaga	12	0	1.000	22	2	.917
Saint Mary's	7	4	.636	16	10	.615
Pepperdine	7	4	.636	12	14	.462
San Francisco	5	6	.455	15	12	.556
Santa Clara	5	6	.455	13	13	.500
Loyola Mary.	4	7	.364	13	11	.542
Portland	4	8	.333	10	15	.400
USD	1	10	.091	4	22	.154

Yesterday's Games

Saint Mary's 87, USD 67
Gonzaga 79, Portland 69

Saturday's Games

San Francisco at USD, 7
Gonzaga at Tulsa, 7
Pepperdine at Loyola Marymount, 7
Saint Mary's at Santa Clara, 7

Thursday, Feb. 26

USD at Gonzaga, 8
Loyola Marymount at Saint Mary's, 7
Pepperdine at San Francisco, 7
Santa Clara at Portland, 7

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
THURSDAY 380,723
FEB 19 2004

Toreros' loss sets school Division I record for futility

USD misses out on opportunities

By Hank Wesch
STAFF WRITER

LOS ANGELES — It wasn't another road-game blowout. But it was another road-game

LMU
66

Toreros
63

loss for the USD men's basketball team.

The Toreros had their chances here yesterday against Loyola Marymount, chances to build upon short leads they held into the early moments of the second half, chances to complete a rally from a 10-point deficit with 9:20 to play and retake the lead in the final 2½ minutes.

And a chance to tie and send it into overtime when Mike McGrain went to the line to shoot three free throws with six-tenths of a second remaining and the Toreros trailing 66-63.

McGrain's first effort looked as if it was going to bounce off the front of the rim but somehow fell back through the net. His second came up short. And his purposely missed third was swatted away by LMU as time ran out on a 66-64 Loyola Marymount victory.

"We put ourselves in a position to win, but we didn't cash in our opportunities," said USD coach Brad Holland. "We did compete and play as hard as we can, which is a positive. And it was important that we put ourselves in a position to win."

Still, the Toreros (4-21, 1-9 West Coast Conference) officially became the losingest team in the school's 24-year Division I history, surpassing the 20 losses of the 1988-89 group. On the other hand, LMU (13-11, 4-7) notched its second straight WCC victory and boosted its win total to two above that for all of last year.

For USD, the fact that the margin of defeat was well below the average of 18 by which they had been succumbing on the road was little consolation.

"None at all," McGrain said. "We had the game won but we gave it away throughout the course of the second

half. Then I had a chance to tie it and didn't take advantage of it."

Stepping up to shoot three free throws to tie, for a team that had one victory in its past 13 games, put tremendous pressure on McGrain.

"If you don't come through with all your free throws, you know your team is going to lose again," the junior team captain from Portland said. "I wasn't nervous. I just didn't get (the second one) there."

USD led 39-37 at halftime but fell behind 59-49 with 9:20 remaining when LMU's Keith Kincade completed a personal rampage of four straight baskets.

At that point, LMU had gotten 20 points from Kincade and 21 from fellow forward Sherman Gay. They would finish with 23 and 24, respectively.

USD fought back to within one, however, with an 11-2 run that featured six of center Brice Vounang's team-high 21 points and one of guard Brad Lechtenberg's four three-pointers.

After getting to 61-60 with 4:33 to play, however, USD's subsequent possessions resulted in three turnovers, two missed three-pointers and one made three-pointer by Lechtenberg.

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA

SUNDAY 444,899

FEB 15 2004

LMU muffed a chance to ice the game when guard Charles Brown missed the front end of a one-and-one with 8.3 seconds remaining, and USD got its final chance when McGrain was fouled attempting to get off a desperation three-pointer.

Both teams were content to play at a controlled pace through the first half, which ended with USD ahead 39-37.

The Toreros protected the ball better than usual, going the first 8:39 without a turnover and committing only five before the break. They would finish with 14.

USD's lead would have been even greater were it not for four missed layups, three of them by Vounang. As it was, Vounang had 12 points, Gay nine and Nick Lewis seven at halftime, and USD shot 50 percent overall (15-for-30) and 55 percent from three-point range (5-for-9).

SUMMARY

Loyola Marymount 66, USD 64

USD	Min	FG-A	FT-A	R	A	F	Pts
B.Gay	29	5-11	2-2	12	2	0	13
Vounang	35	10-18	1-2	4	0	1	21
Lewis	26	2-8	4-4	6	2	5	9
McGrain	30	0-3	2-5	2	8	2	2
Fogel	11	0-1	0-0	1	0	2	0
Melton	20	2-4	0-0	3	2	1	5
Lechtenberg	27	4-6	0-0	3	2	1	12
Hubbard	19	1-3	0-0	2	3	1	2
Bonifer	3	0-0	0-0	0	0	0	0
Totals	200	24-54	9-13	34	19	13	64

Percentages: FG .444, FT .692. 3-Point Goals: 7-18, .389 (Lechtenberg 4-6, Lewis 1-3, Melton 1-3, B.Gay 1-4, McGrain 0-1, Fogel 0-1). Team Rebounds: 1. Blocked Shots: 1 (Hubbard). Turnovers: 14 (Melton 3, Hubbard 3). Steals: 5 (Lewis 2). Technical Fouls: None.

LMU	Min	FG-A	FT-A	R	A	F	Pts
Kincade	36	11-20	0-1	2	3	1	23
S.Gay	35	11-15	2-4	3	1	3	24
Knight	14	0-1	0-0	3	1	1	0
C.Brown	34	3-13	0-1	4	5	0	8
Wardrop	21	0-1	0-0	4	5	1	0
Montgomery	2	0-0	0-0	0	1	0	0
Martin	27	3-4	0-0	5	4	2	7
Ayer	26	0-2	2-4	5	1	4	2
D.Brown	5	1-2	0-0	1	0	0	2
Totals	200	29-58	4-10	30	21	12	66

Percentages: FG .500, FT .400. 3-Point Goals: 4-15, .267 (C.Brown 2-8, Martin 1-2, Kincade 1-5). Team Rebounds: 3. Blocked Shots: 5 (S.Gay 2, Ayer 2). Turnovers: 9 (Kincade 3, C.Brown 3). Steals: 11 (Kincade 3, C.Brown 3). Technical Fouls: None.

USD (4-21, 1-9)	39	25	-	64
LMU (13-11, 4-7)	37	29	-	66

A-2,135. Officials—Ron Omori, Sam Haddad, Mike Greenstein.

West Coast Conf.

	Conference			Overall		
	W	L	Pct.	W	L	Pct.
Gonzaga	11	0	1.000	21	2	.913
Pepperdine	7	4	.636	12	14	.462
Saint Mary's	6	4	.600	15	10	.600
San Francisco	5	6	.455	15	12	.556
Santa Clara	5	6	.455	13	13	.500
Loyola Mary.	4	7	.364	13	11	.542
Portland	4	7	.364	10	14	.417
USD	1	9	.100	4	21	.160

Yesterday's Results

Loyola Marymount 66, USD 64
Gonzaga 79, Saint Mary's 60
Pepperdine 93, Santa Clara 90
San Francisco 86, Portland 73

Wednesday's Games

Saint Mary's at USD, 7
Portland at Gonzaga, 7:30

Saturday's Games

San Francisco at USD, 7
Gonzaga at Tulsa, 7
Pepperdine at Loyola Marymount, 7
Saint Mary's at Santa Clara, 7



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Dirty Dozen for USD? No, Toreros finally win

By Hank Wesch
STAFF WRITER

4154

An 11-game losing streak weighed heavily on the USD men's basketball team entering last night's game against Santa Clara.

How heavily?

Toreros

74

Santa Clara

71

"The two-ton gorilla is off our back," coach Brad Holland said after his Toreros held off the Broncos 74-71. It was the first victory for USD (4-19, 1-7 West Coast Conference) since the Toreros defeated Division II UCSD on Dec. 23.

Brice Vounang scored 26 points and his front-line mates Brandon Gay (18 points, 10 rebounds) and Nick Lewis (11 and 14) contributed double-doubles as USD knocked off a Santa Clara team that was holding second place in the WCC and had downed the Toreros 74-69 two nights earlier at Santa Clara.

The Broncos (13-11, 5-4) saw a strong performance from their back-court duo of Kyle Bailey (26 points) and Doron Perkins (19) spoiled and the regular-season series between the schools wind up in a split for the seventh year in a row.

"It's always a good feeling when you win," said Vounang, a 6-8 native of Cameroon. "It's definitely going to help us in (coming) games. We've got a good feeling back, and we don't want to let it go."

Trailing 53-46 with 8:24 to play, USD went on an 11-4 run, with 10 of the points coming from Vounang and Gay, to knot the score at 57-57 on Gay's three-pointer with 5:18 remaining. Then the Toreros tacked on 10 more points in a row, on a basket and four free throws by Vounang, three free

throws by Brett Melton and a free throw by Avi Fogel to take a 67-57 lead with 1:48 remaining.

"My teammates look for me in those situations," Vounang said. "I've got to yell for the ball because usually when it gets in my hands something good happens."

"Our coaches always say that at crucial times big-time players step up," Gay said. "Brice and I are the most productive players on the team, and we showed that."

The secure-looking 10-point lead inside two minutes proved to be anything but secure.

Santa Clara cashed three three-point shots, turning one into a four-point play on a Toreros foul, and USD went 2-for-4 from the free throw line to allow SCU to pull within 73-71 with five seconds remaining.

Melton hit one of two free throws with 3.9 seconds left to set the final score as Bailey's running 30-foot three-point attempt at the buzzer bounced off the rim.

"We struggled a little at the end," Holland said. "I think the main reason was because we hadn't been there (in position to win) in some time. If we get there again this year, we'll handle it better."

The consensus of Toreros opinion was that they had come closer to playing with the necessary intensity for a full 40 minutes than at any time in the last six weeks. That and winning the battle of the boards (41-36) and committing a relatively low, for them, 14 turnovers made the difference between winning and losing.

"Tonight I saw an attitude. I saw a determination that was different than we'd had before — in a good way," Holland said. "We need to keep that going."

USD squanders opportunity at Santa Clara

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA
FRIDAY 380,723
FEB 6 2004

By Marcus E. Walton

SPECIAL TO THE UNION-TRIBUNE

SANTA CLARA — Down by two points at halftime, the USD men's basketball team had to turn to an unexpected place for an offensive lift.

Santa Clara

74

Toreros

69

It was walk-on freshman Avi Fogel who rallied his team, scoring nine of USD's first 11 points in the second half, sparking the Toreros to a nine-point lead. But Fogel's career-high 12 points weren't enough. Neither was outshooting Santa Clara 54 percent to 38.5 percent.

The Toreros lost their 11th straight game 74-69, dropping their record to 3-19 overall and 0-7 in West Coast Conference play.

"We gave this game away,"

USD coach Brad Holland said afterward. "We played some really good basketball for much of the game, but our inability to make free throws and our turnovers killed us."

If that sounds like the same refrain Holland has used before, that's because it is. The loss to Santa Clara (13-10, 5-3) continued the broken record that is the Toreros' season.

Time and again the Toreros have looked ready to claim their first conference win, but each time another small incident keys another loss.

"Basically, it's the little things that turn out to be really big that cost us," forward Brandon Gay said. "Boards, giving the other team second chance points, not making our free throws. All of that is common in our last few games."

Just last week, the Toreros were down by one point with

five minutes to go against the No. 8 team in the country. The end result was a loss.

Last night, they were ahead 62-58 with 5:23 left when Brian Vounang grabbed a rebound and had it stolen. Two and a half minutes later, the Toreros were down by three and never led again.

"All of these things have added up," Holland said. "We have no depth, we're playing walk-ons because we have four scholarship players injured and out for the year."

In fact, Holland started Fogel for the fourth time this season and freshman Michael Hubbard for the 14th. But it was the walk-on who sparked the Toreros' second half comeback, opening that period with a steal and then three consecutive long-range jumpers to give his team a 44-35 lead.

But with the Broncos trailing

46-39, Santa Clara's Kyle Bailey went to work. First he assisted on a layup by Jim Howell and then outscored the Toreros 11-4 over the next three minutes.

The Toreros were able to take a 62-58 lead, but then the game slipped from their grasp. Bailey sparked a 13-4 run over the next four minutes, scoring seven points in that span.

By the end of the game, Bailey, who had shot a sickly 31 percent in conference action (21 percent from 3-point range) had scored a game-high 23 on 7-of-16 shooting.

"They've been in a lot of games," said Santa Clara coach Dick Davey, who picked up win No. 199 in his career. "They had a chance to win against Gonzaga and they had a chance to win tonight, but just didn't get it done."

SUMMARY

Santa Clara 74, USD 69

USD	Min	FG-A	FT-A	R	A	F	Pts
Gay	20	4-7	1-3	7	2	2	9
Vounang	36	7-14	0-0	9	2	2	14
Lewis	30	6-9	5-8	8	0	2	18
McGrain	37	0-1	0-0	1	9	2	0
Fogel	22	4-6	0-0	1	3	3	12
Melton	26	4-8	2-3	2	1	1	14
Hubbard	23	1-2	0-2	7	2	2	2
Bonifer	6	0-1	0-0	0	0	0	0
Totals	200	26-48	8-16	35	20	14	69

Percentages: FG .542, FT .500. 3-Point Goals: 9-17, .529 (Fogel 4-6, Melton 4-7, Lewis 1-1, McGrain 0-1, Gay 0-2). Team Rebounds: 1. Blocked Shots: 3 (Vounang 2). Turnovers: 18 (Vounang 5). Steals: 6 (McGrain 3). Technical Fouls: None.

SANTA CLARA	Min	FG-A	FT-A	R	A	F	Pts
Niesen	32	4-5	2-3	7	0	3	10
Howell	26	2-4	1-4	5	2	3	5
Rohe	28	2-9	0-0	3	4	2	6
Perkins	21	3-9	3-3	5	2	4	10
Rohde	26	5-12	0-0	5	1	1	15
Bailey	30	7-16	5-6	3	4	1	23
Dougherty	8	1-4	0-0	0	0	2	3
Denison	8	0-1	0-0	1	0	1	0
Kargbo	7	1-2	0-0	0	0	0	2
Borchart	9	0-1	0-0	1	0	1	0
Legge	5	0-2	0-0	3	0	0	0
Totals	200	25-65	11-16	33	13	18	74

Percentages: FG .385, FT .688. 3-Point Goals: 13-35, .371 (Rohde 5-10, Bailey 4-11, Rohe 2-7, Perkins 1-2, Dougherty 1-3, Kargbo 0-1, Borchart 0-1). Team Rebounds: 1. Blocked Shots: 2 (Perkins 2). Turnovers: 9 (Rohe 3). Steals: 14 (Bailey 4). Technical Fouls: None.

USD (3-19, 0-7)	32	36	-	69
Santa Clara (13-10, 5-3)	35	39	-	74

A-1,689. Officials-Frank Harvey, Mark Ayotte, Thomas Wood.

WCC

	Conference			Overall		
	W	L	Pct.	W	L	Pct.
Gonzaga	7	0	1.000	18	2	.900
Santa Clara	5	2	.714	13	10	.565
St. Mary's	4	3	.571	13	9	.591
San Francisco	4	4	.500	14	10	.583
Pepperdine	4	4	.500	9	14	.391
Portland	3	4	.429	10	11	.476
Loyola Mary	2	6	.250	11	10	.524
USD	0	6	.000	3	19	.136

Yesterday's Results

Santa Clara 74, San Diego 69
Portland 74, Loyola Marymount 59
St. Mary's, Cal. 75, San Francisco 51
Gonzaga 93, Pepperdine 73

Thursday's Games

Santa Clara at USD, 7
Loyola Marymount at Gonzaga, 7
Pepperdine at Portland, 7
Saint Mary's at San Francisco, 7:30

More of the same for woeful Toreros

Holland's at a loss for words after USD loses 10th straight

By Hank Wesch
STAFF WRITER

For the USD men's basketball team, the only carryover from Thursday's commendable effort against No. 10 Gonzaga to last night's game against West Coast Conference second-division dweller Portland was the margin of defeat.

Portland 84
Toreros 72

USD lost to Gonzaga by 12 before 4,919 fans at the Jenny Craig Pavilion on Thursday. And to Portland last night, 84-72, before 1,391.

It was the 10th straight loss for USD (3-18, 0-6 WCC). Portland (9-11, 3-4) ended a two-game losing streak and notched a victory over USD for the first time since visiting here in the penultimate game of the 2001 regular season, snapping a string of four straight losses.

Sophomore guard Eugene "Pooh" Jeter, who doesn't appear to be the 5-foot-10 he's listed, stood tall with 20 points and four assists to lead four Portland players in double figures. And the Pilots expanded a two-point halftime lead to 10 in the first 2:36 of the second half and didn't let USD closer than five the rest of the way.

USD got its usual production from front-liners Brice Vounang (19 points, 8 rebounds) and Brandon Gay (16/13) and 16 points from Brett Melton on the perimeter. But 19 turnovers, right about par for USD this season, proved fatal once again as the Toreros lost their fourth straight WCC home game and saw their JCP record slip to 3-5.

USD coach Brad Holland's postgame comments, in their entirety before making a hasty exit from the media room, were: "They played harder than we did. They competed harder than we did."

And that was a curious thing, considering the Toreros' game effort two nights earlier against national power Gonzaga. The feeling, expressed by USD coaches and players at that time, was that even though the Gonzaga game was a loss, it might

serve as a springboard to better things.

It didn't. Not last night anyway.

"We came out flat tonight and there's no reason at all why that should happen," said USD freshman guard Avi Fogel. The Torrey Pines High grad started his third straight game and played 28 minutes with four points, three assists and one turnover.

"We all wanted to win really bad and we know we're due for one. But we didn't get it done. We didn't put out that (Gonzaga) type of effort."

Asked if the Toreros had gotten to the point where they now accept losing, Fogel answered in the negative.

"We know we're a lot better than our record shows. We hung with the No. 10 team in the country and we didn't feel we were out of our league."

Portland coach Michael Holton was grateful to get a WCC road win against a team that had owned his Pilots in recent years. He was pleased with the way his smaller, quicker team persevered in defending USD's persistent attempts to exploit its inside strength.

"USD is committed to that low-post offense and we had to be committed to not letting it be the difference in the game," Holton said. "Our focus was clearly to not be one-on-one with their scorers on the low blocks."

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"Because they change their defenses so much, I thought they were able to bring our offense to a standstill a few times. But as the game wore on we were able to get some rhythm in our transition game and that was the difference."

It is Holton's opinion that USD will not go winless through the WCC season.

"They're going to beat somebody," Holton said. "Vounang is a 20 (point) and 10 (rebound) guy. Brandon Gay is athletic and can slash. They've got a shooter in Melton."

"And they're playing hard together, which is hard to do when you're going through a streak where you lose 10 straight games. I know, I've been through it." The Pilots were 6-24 in 2001-02.

WCC

	Conference		Overall	
	W	L	Pct.	W L Pct.
Gonzaga	7	0	1.000	17 2 .895
San Francisco	4	3	.551	14 9 .609
Santa Clara	4	3	.571	12 10 .545
Pepperdine	4	3	.571	9 13 .409
St. Mary's	3	3	.500	12 9 .571
Portland	3	4	.429	9 11 .450
Loyola Mary	2	5	.286	11 9 .550
USD	0	6	.000	3 18 .143

Yesterday's Results

Portland 84, USD 72
San Francisco 81, Pepperdine 69
Loyola Mary. 82, Saint Mary's 77
Gonzaga 79, Santa Clara 63

Thursday's Games

USD at Santa Clara, 7
Loyola Marymount at Portland, 7
San Francisco at Saint Mary's, 7
Pepperdine at Gonzaga, 8

SUMMARY

Portland 84, USD 72

PORTLAND	Min	FG-A	FT-A	R	A	F	Pts
Wilson	29	7-12	2-2	2	4	3	18
Vance	16	6-8	0-1	4	0	5	12
Geddis	29	5-10	0-0	9	1	3	10
Jeter	33	7-15	3-5	3	4	0	20
Quick	31	3-7	0-0	4	9	3	9
Jackson	15	1-1	0-0	2	0	2	2
Smith	15	1-7	0-0	3	2	2	3
Peal	5	0-0	0-0	0	0	0	0
Galos	15	2-2	4-4	1	1	2	8
Frandsen	12	1-6	0-0	2	0	2	2
Totals	200	33-68	9-12	32	21	22	84

Percentages: FG .485, FT .750. 3-Point Goals: 9-28, .321 (Quick 3-7, Jeter 3-8, Wilson 2-3, Smith 1-6, Frandsen 0-4). Team Rebounds: 2. Blocked Shots: 3 (Vance, Geddis, Jackson). Turnovers: 9 (Jeter 3). Steals: 8 (Geddis 3). Technicals: None.

USD	Min	FG-A	FT-A	R	A	F	Pts
Gay	35	5-14	5-7	13	1	3	16
Lewis	25	2-8	4-4	4	0	0	8
Vounang	29	8-12	3-3	8	0	4	19
McGrain	30	0-0	0-2	6	5	5	0
Fogel	28	2-4	0-0	0	1	1	4
Melton	31	5-11	2-4	2	4	1	16
Hubbard	22	4-4	1-3	3	4	2	9
Totals	200	26-53	15-23	37	17	16	72

Pct: FG .491, FT .652. 3-Point Goals: 5-12, .417 (Melton 4-8, Gay 1-1, Fogel 0-1, Lewis 0-2). Team Rebounds: 1. Blocked Shots: 0. Turnovers: 19 (McGrain 5). Steals: 3 (McGrain 3). Technicals: None.

Portland (9-11, 3-4)	40	44	-	84
USD (3-18, 0-6)	38	34	-	72

A-1,391. Officials- Randy Burkhardt, Mike Peterson, Steven Dreher.

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Men's Hoops Subject Of ESPN2 Documentary

First of three shows airs Tuesday night

Schedules.....

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Womens's Sports

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Feb. 2, 2004

SPOKANE, Wash. - Gonzaga University's men's basketball team will be the subject of a documentary to air on ESPN2 each of the next three Tuesday's entitled "The Season - College Basketball."

The first of three 30-minute shows will air Tuesday on ESPN2 at 8:30 p.m. PST and be replayed at 10 p.m. PST. The show will also air at 11:30 p.m. EST. Fans should check their local listing for times in their area.

The film crew spent last week with the Bulldogs and accompanied them on their sweep of the University of San Diego and Santa Clara University. They will spend this week on campus gathering material for the second show to air next Tuesday, then travel with the Bulldogs to the University of San Francisco and Saint Mary's College next week for the final show to air Feb. 17.

Gonzaga is one of four teams to be featured in the 12-week overview of college basketball. The University of Oklahoma and University of Memphis have already been featured, with the University of Wisconsin scheduled following Gonzaga. The shows are produced by Chicago-based Intersport in conjunction with ESPN.

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MEN'S BASKETBALL

Syracuse wrecks No. 3 Pitt streak

4154
ASSOCIATED PRESS

For more than 41 minutes, Pittsburgh defensive ace Julius Page never left Syracuse's Gerry McNamara uncovered. Every dribble, every pass, every look at the basket, Page was right there.

The one time Page gambled and left him alone, McNamara hit the shot that effectively ended Pitt's 25½-month home-court winning streak and may cost the Panthers a No. 1 seed in the Big East and NCAA tournaments.

McNamara, held scoreless by No. 3 Pittsburgh for the equivalent of a game and a half, hit a go-ahead three-pointer and two key free throws in overtime and Syracuse (19-6, 9-5) halted the Panthers' 40-game home winning streak with a 49-46 upset yesterday.

Pitt's streak was the second longest in Division I to Duke's 41-game run.

"We didn't get it done and our guys are very disappointed," said coach Jamie Dixon, a loser at home for the first time. "It was an unbelievable streak, and we'll just have to start another one."

Pitt (25-3, 11-3) was confused and ineffective the entire game as the Orangemen constantly gave the Panthers different looks out of their 2-3 zone.

NO. 5 DUKE 70, FLA. ST. 65:

Luol Deng scored 20 points and the Blue Devils (24-3, 12-2) converted their last 12 free throws to beat the Seminoles and clinch at least a share of the ACC regular-season title.

NO. 9 KENTUCKY 70, LSU 64:

Gerald Fitch scored 23

points, including 5-of-8 three-pointers, to help the Wildcats (21-4, 11-3) clinch the Southeastern Conference's Eastern Division title.

NO. 12 NORTH CAROLINA 71, NO. 14 N.C. STATE 64:

Rashad McCants scored 22, hitting two three-pointers late, to propel the Tar Heels (17-8, 7-7 ACC) past the host Wolfpack (18-7, 10-4), who lost for the first time in 15 home games.

NO. 13 PROVIDENCE 103, ST. JOHN'S 78:

Ryan Gomes had 19 points and 11 rebounds, and the Friars (20-5, 11-3) set a Big East record with 62 points in the first half in New York.

NO. 20 KANSAS 79, OKLA. 58:

Wayne Simien scored 26 points and Keith Langford added 22 to help the Jayhawks (18-7, 10-4 Big 12) improve to 7-0 in conference home games.

NO. 22 WISCONSIN 82, PURDUE 46:

Mike Wilkinson's 23 points and 12 rebounds helped the Badgers (19-6, 10-4 Big Ten) hand the visiting Boilermakers their worst loss in the series that began in 1906.

USD SCHEDULES: The USD men's and women's basketball teams, both seeded eighth after finishing last in the West Coast Conference regular season, officially received their assignments for this week's WCC Tournament. USD women will face No. 5 seed Saint Mary's at noon Thursday at Santa Clara University's Gersten Pavilion. The Toreros men will take on No. 5 seed and host Santa Clara on Friday night at approximately 8 p.m.

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LOCAL WOMEN'S ROUNDUP

Toreros play well, see win slip away

By Nicole Vargas
STAFF WRITER

With USD senior basketball players Melissa Padgett and Marta Menuetz playing the final home game of their careers, the Toreros hoped they could pull out an upset victory over Gonzaga in the season finale.

Gonzaga

55

Toreros (w)

53

And when a three-pointer by sophomore Brandi Collato was followed by a pair of made free throws by Menuetz with just 2:59 left, it looked as if the 53-50 lead would be enough for the win.

Bulldogs guard Shannon Mathews, though, made a lay-up and jumper in the final minutes of the game to give Gonzaga a 55-53 win at Jenny Craig Pavilion last night.

"It's always better when you have the win," said USD head

coach Kathy Marpe. "But we can keep our heads up because we played better (than Thursday's loss to Portland)."

USD (6-21, 1-13), which finished at the bottom of the WCC standings, now will face fifth-seeded Saint Mary's in the conference tournament's opening round Thursday. It's a rematch of last year's first round, when the Toreros defeated the Gaels 69-56.

"Hopefully, we can use this as a springboard (into the tournament)," said Padgett.

Padgett and Menuetz turned in team-leading performances, topping the team in points (14 each) and rebounding (seven each).

"We've tried to play every game like it was our last," said Padgett, who also led the team with four assists. "We play so well together. It's a fitting end that we both had good games."

Aztecs lose

Lindsey Arndt made the go-ahead basket and two free throws in the final three seconds to lift New Mexico over SDSU 47-44 yesterday at Peterson Gym.

The Aztecs (8-17, 3-9 Mountain West Conference) were topped by Courtney Fritz's 14 points. Fatima Maddox came off the bench to lift New Mexico (18-7, 10-2) with 12 points. SDSU shot just 34 percent from the floor and was outbounded 39-26.

UCSD wins

Senior Ali Ginn scored 15 points, becoming UCSD's all-time career scoring leader, as the Tritons beat visiting Cal State Los Angeles 71-63.

Ginn now has scored 1,278 points for her career. She finished the game 4-of-15 from the field and had a game-high nine assists.

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WOMEN'S BASKETBALL

Aztecs can't avoid fourth straight loss

4154

UNION-TRIBUNE NEWS SERVICES

San Diego State got a game-high 18 points from Courtney Fritz and 15 from Michelle Elliott but lost to Colorado State 65-56 last night in Fort Collins, Colo.

Vanessa Espinoza scored 16 and Lindsay Thomas added 13 as the Rams (14-9, 5-5 Mountain West Conference) handed the Aztecs (7-15, 2-7) their fourth consecutive loss.

Colorado State used an 11-0 second-half run to take a 15-point lead and made 8-of-10 free throws in the final two minutes to seal the win.

SDSU led 13-3, but the Rams held the Aztecs scoreless for the next 8:52 en route to a 24-23 halftime lead.

Santa Clara 85, USD 56

Marta Menuz scored 13 points and grabbed seven rebounds, but the visiting Toreros (6-18, 1-10 West Coast Conference) fell to the Broncos.

Ashley Graham scored 13 points and had nine assists to lead Santa Clara (8-16, 4-7).

Jamie Corwin scored 12 for USD.

Vandy 61, No. 15 LSU 55

Carla Thomas recorded

her ninth double-double of the season with 22 points and 11 rebounds, and **Vanderbilt** (17-7, 5-6 SEC) upset No. 15 **LSU** in Baton Rouge, La.

LSU was without coach Sue Gunter, who will miss the rest of the games because of lung problems and acute bronchitis. Gunter will continue to participate in film sessions and practices at her own discretion for the Lady Tigers (20-5, 8-3).

Elsewhere

Shanna Zolman scored 23 as No. 3 **Tennessee** beat **Florida** 88-79 ... Alana Beard had 27 points as No. 4 **Duke** topped **Virginia** 87-54 ... Shereka Wright scored 18 points as No. 5 **Purdue** beat **Illinois** 65-49 ... Jess Brungo scored 19 to help No. 7 **Penn State** defeat **Wisconsin** 66-50 ... Nicole Powell had 18 points and 10 rebounds as No. 10 **Stanford** overpowered **USC** 75-57 ... Kristi Faulkner scored 22 as host **Iowa** routed No. 11 **Minnesota** 81-61 ... Ivory Latta had 13 points as No. 16 **North Carolina** beat **Maryland** 79-64 ... Lindsey Arndt had 12 points and 12 rebounds to lead host **New Mexico** past No. 25 **Utah** 49-46.

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LOCAL WOMEN'S ROUNDUP

SDSU women start fast but finish poorly against UNLV

4154

By Nicole Vargas, STAFF WRITER

After playing what was likely its best first half of the season, the San Diego State women's basketball team was unable to overcome a strong second-half start by UNLV, falling to the Lady Rebels 65-56 last night in their last game played at Cox Arena this season.

"They played with a lot of confidence, they were relaxed and they played together," said SDSU head coach Jim Tomey of his Aztecs (7-14, 2-6 Mountain West). "It just wasn't enough."

After scoring just two points in the conference season opener against UNLV, SDSU sophomore Ashlee Dunlap led the charge against the second-

place Lady Rebels with 18 points.

Dunlap scored 10 of her points in the first 20 minutes, which ended with a 10-2 run by the Aztecs that resulted in a 31-24 lead.

"We're tired of losing," said Dunlap. "We wanted to see what it felt like to win, and in the first half, we did that."

UNLV (17-4, 6-2), though, answered with a run of its own, outscoring SDSU 16-2 in the opening 6:04 of the half while forcing seven turnovers.

Loyola Marymount 52, USD 48

Plagued by turnovers from the tip-off, the Toreros couldn't overcome the steady play of the West Coast Conference's top team, falling to the Lions at Jenny Craig Pavilion last night.

"That was the thing," said senior **Marta Menuet**, who scored a team-high 18 points despite LMU's double-teaming efforts. "If we had 10 fewer turnovers, I'm sure we would have won this game."

Not lacking in defensive effort, USD (6-17, 1-9) forced 19 turnovers.

"But as good as we were offensively (against second-place Pepperdine on Thursday), we were as bad tonight," said Toreros head coach **Kathy Marpe**. "Mentally, we were not there from the start."

LMU (19-5, 10-1) pulled down 11 offensive rebounds. The Toreros, by comparison, had just three offensive boards.

"We never were in control of this

ballgame," Marpe said. "But that's how Loyola is winning its games. They're just steady."

Lions senior **Kate Murray** scored just four of her team-high 17 points in the second half, thanks to solid defense of senior **Melissa Padgett**.

UCSD women prevail

Leora Juster scored a game-high 19 points to propel UCSD's women's basketball team to a 77-71 victory over visiting Cal State Stanislaus last night. Juster shot 7-of-13 from the field for the Tritons (12-9, 8-8 California Collegiate Athletic Association). The Warriors (7-14, 4-12) were led by **Jacquelynn Packard's** 18 points.

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Defense not enough as cold-shooting Aztecs fall to Utes

By Nicole Vargas, STAFF WRITER

4154

Against the best team in the Mountain West Conference, the San Diego State women's basketball team executed its defensive game plan to near-perfection.

After averaging 66 points on 45 percent shooting, Utah was held 10 points below its average while making only 39.6 percent of its shots from the floor and took nearly eight minutes to put in its first field goal of the second half.

"The bottom line is we played exactly the way we wanted to and they played the way we wanted them to," said Aztecs coach Jim Tomey, whose team had only 10 turnovers.

The difference, though, was simple.

Said Tomey: "We just couldn't put the ball in the basket."

SDSU's 19 percent shooting, coupled with a handful of well-timed three-pointers by the Utes, resulted in a 56-29 loss for the Aztecs at Cox

Arena last night.

A crowd of 540 witnessed a defensive showdown that saw SDSU (7-12, 2-4) down just 13-10 with 3:52 left in the first half thanks to a pair of free throws by freshman Michelle Elliott.

"We had them where we wanted them," said Elliott, who scored six of her eight points from the free-throw line.

Utah, though, answered with a three from the top of the arc by senior guard Kelsy Stireman, who then converted a steal on the Aztecs' next possession into a fast-break layup for an 18-10 lead with 2:25 left until halftime.

"We just broke down," Elliott said.

Down 21-12 at the break, SDSU had its chance to catch up in the second half with the Utes able to add only two free throws by sophomore Kim Smith in the first eight minutes.

But a jumper by Julie Wood ignited a four-minute, 14-2 run that included two Utah three-pointers and put the game out of reach.

For Utah (16-4, 6-0), which maintains the ninth-best defense in the nation, Smith had a

double-double (16 points, 13 rebounds). Wood added 11 points.

Toreros women lose

USD was unable to hold a 25-20 halftime advantage as visiting Santa Clara won the West Coast Conference game 60-52 in front of 438 at the Jenny Craig Pavilion.

The struggling Toreros (6-15, 1-7 WCC) shot just 19-of-53 from the field (.358). The Broncos (7-14, 3-5), who outscored USD 40-27 in the second half, didn't fare much better, making just 17-of-45 shots (.378). Santa Clara was, however, 23-of-34 from the foul line.

Guard Quinn Thomas scored 12 of her 14 points in the second half to lead Santa Clara, with Jennie Rondel chipping in 12 points off the bench and Ashley Graham adding 11. USD sophomore forward Lindsay Helvey came off the bench to score 12, on four three-pointers. Senior center Marta Menuet contributed 11 points and a game-leading nine rebounds.

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LOCAL WOMEN'S ROUNDUP

Aztecs fly over Air Force

UNION-TRIBUNE

San Diego State's women's basketball team beat the Air Force Academy for the eighth straight time yesterday, taming the Falcons 51-46 at the Clune Arena in Colorado Springs, Colo.

Aztecs

51

Air Force

46

The Aztecs (7-11, 2-3 Mountain West Conference) received 23 points and 12 rebounds from Ashlee Dunlap, good for her league-leading 11th double-double of the season.

But Dunlap's most important bucket came when, with SDSU up 49-46, the sophomore forward put back a missed free throw with 13 seconds to play to secure the victory.

Though SDSU was up 46-33 with less than five minutes remaining in the contest, a Letricia Castillo three-pointer with under a minute left ended a Falcons run that closed the gap to three at 48-45.

After the teams exchanged free

throws and turnovers, Dunlap put back a missed Michelle Strawberry free throw to put SDSU up for good.

The Falcons (3-15, 0-5) were led by Amoy Jackson's 12 points.

Toreros lose

USD went cold in the second half after leading the entire game, eventually losing to host Gonzaga 61-58 for its third straight loss and eighth setback in its last 10 games.

The Toreros (6-14, 1-6 West Coast Conference), who had shot over 55 percent in the first half to enjoy a 38-27 halftime lead, fell victim to a 17-4 run over the final 9:56 as the Bulldogs (13-7, 6-1) came back to win and remain in second place in the WCC.

Gonzaga's Raeanna Jewell tied the game for the Bulldogs at 54-54 with 2:49 left, then converted a three-point play to give Gonzaga its first lead.

Jamie Corwin led USD with 15 points, and Tiara Harris chipped in with 11.

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SPORTS SHORTS

Armstrong teammate wins Algarve

THE ASSOCIATED PRESS

MALHAO, Portugal — **Lance Armstrong** finished fifth in the Tour of the Algarve on Sunday, while U.S. Postal Service teammate **Floyd Landis** won the final stage to take the event.

Armstrong, who will go for his record sixth Tour de France in July, finished 34th in the 110-mile fifth stage. He entered the stage with the overall lead after winning a time trial Saturday.

Landis clocked 4 hours 40 minutes 18 seconds to win the stage. **Victor Hugo Pena**, another U.S. Postal Service teammate, was next along with two other riders, 5 seconds back. Armstrong was 1:02 off the lead.

In the overall standings, Landis timed 18:03:4. Pena was second, 26 seconds back, and Armstrong was 1:11 behind.

TENNIS

Hewitt wins second crown of season

ROTTERDAM, Netherlands — Sixth-seeded **Lleyton Hewitt** beat second-seeded **Juan Carlos Ferrero** 6-7 (1), 7-5, 6-4 Sunday in the ABN Amro tournament to win his 21st career title.

Hewitt overcame early problems with his serve to improve his record against the French Open champion to 5-3. The Australian dropped his first set of the tournament but rallied to win his second title this year.

► **Kim Clijsters** beat Italian veteran **Silvia Farina Elia** 6-3, 6-0 Sunday to win the Diamond Games tournament in Antwerp, Belgium.

The straight-set win clinched

Clijsters' first tournament victory in her native Belgium and her 21st overall. She won the Gaz de France tournament in Paris last week.

► **Joachim Johansson** harnessed his powerful serve and was not broken in winning his first ATP title, beating **Nicolas Pietrangeli** 7-6 (5), 6-3 in the final of the Kroger St. Jude tournament in Memphis, Tenn.

► Top-seeded **Gustavo Coria** defeated defending champion **Carlos Moya** 6-4, 6-1 Sunday to win the ATP Buenos Aires tournament in Argentina.

TRACK AND FIELD

Russian sets indoor pole vault record

ATHENS, Greece — Russian **Svetlana Feofanova** set the women's indoor pole vault record Sunday with a leap of 15 feet 11 inches at the Athina 2004 indoor meet.

Feofanova broke the mark of 15-10¼ set Feb. 15 by Russian **Yelena Isinbayeva**. Feofanova easily cleared the bar in her first attempt at the height.

AUTO RACING

Schumacher might part with BMW

BERLIN — Formula One driver **Ralf Schumacher** threatened to leave BMW Williams on Sunday because he is unhappy with contract negotiations.

"Maybe it'll come to that. That would be sad, but I can't let them pull my leg," Schumacher told the weekly Bild am Sonntag.

► The start of the NHRA season will have to wait another week as Sunday's persistent rain forced officials to postpone the remainder of the K&N Filters Winternationals in Pomona, Calif., until next weekend.

NFL

Manning likely to be franchise player

INDIANAPOLIS — The Indianapolis Colts are expected to designate quarterback **Peyton Manning** their franchise player today, a move that will cost a league-record \$18.4 million.

Colts president **Bill Polian** promised Sunday to tag Manning, the league's co-MVP, preventing him from hitting the free agent market March 3.

"There is no question whatsoever," Polian said at the NFL combine.

Manning's contract expired after last season.

RUGBY

UA routs San Diego

From rainy San Diego, the UA rugby team exploded for four tries in the last 20 minutes against the University of San Diego to take a 55-22 win Sunday in a So-Cal Conference match.

Wing **Ross Hammonds** and halfback **Ben Rubke** each scored two of Arizona's eight tries. Arizona (4-4, 2-3) takes on Long Beach State at Estevan Park on March 5 at 3 p.m.

Includes information from press releases

Peñasquitos has premier director of coaching

USD's McFadden will take greater role in club's decision-making

By Denise T. Ward
COMMUNITY SPORTS WRITER

Plaques and awards adorning Seamus McFadden's office paint a picture of 25 years of coaching success.

He's been named West Coast Conference Coach of the Year seven times, has won five conference championships and last season led USD's men's soccer team to the NCAA Tournament.

McFadden recently added another page to his résumé: boys director of coaching for the Peñasquitos Youth Soccer Association. There is no glamour or perks to strive for, but McFadden said the reward is worth the effort.

"I've always been involved with kids and it's gratifying for me," said McFadden, 51. "PQ doesn't have the lofty expectations of a huge club. We're a neighborhood club. My motivation is I think I can make it better."

When talking about the PQ program, McFadden, who lives in Rancho Peñasquitos, uses the words "our"

and "we." He's been connected to the program for the past 15 years. His daughter, Hadley, competed for PQ, and his son, Conor, currently participates.

McFadden has coached several teams and has held numerous positions within the club. Most recently, he was technical director and worked with kids to improve their skills. The new position ultimately aspires to the same goal by trying to ensure the club's coaches are fully qualified.

"It's a move up to have more of a hand in making decisions for the club," McFadden said. "It's really nothing I haven't been doing."

The position is part-time and comes with modest compensation, said to be similar to the pay received by the club's coaches. McFadden will attend practices and club events when not in conflict with his USD duties. He said this is not about lending his name for recognition.

"I don't perceive myself as some coaching legend," he said. "I feel like I'm good at what I do. My son's in the program, so I want to help make it as

good as it can be."

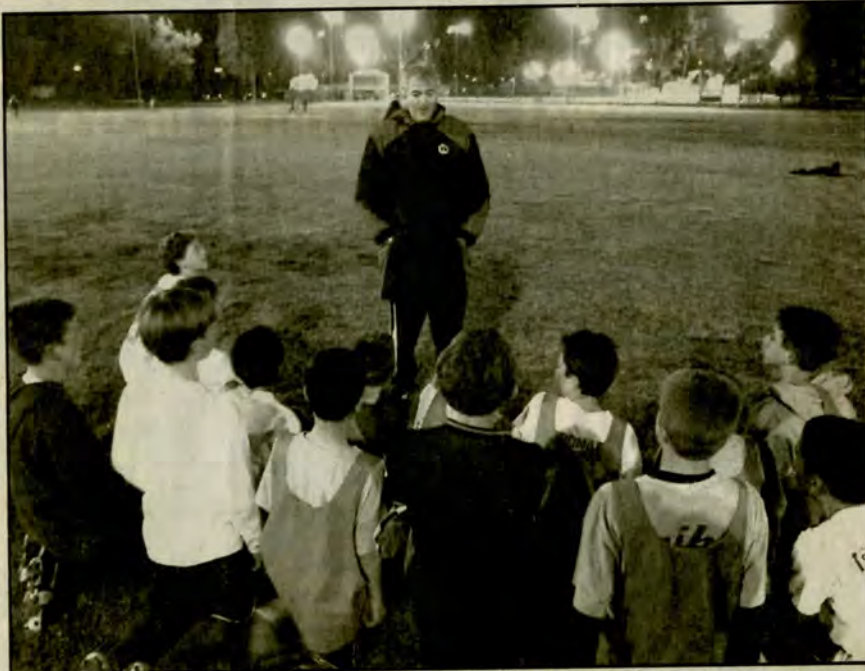
McFadden grew up in Donegal, Ireland, and later moved to San Diego with his family. He graduated from Kearny High, earning section honors not in soccer but in football as a kicker. He was an All-American in soccer while attending San Diego State. He took the coaching job at USD in 1979 and fielded the first men's soccer team in 1980.

"There's no way we could have come up with someone who brings as much love for the game and enthusiasm as Seamus McFadden," said Mike Davison, PQYSA president. "He's a parent, so he has a vested interest in this club doing well."

"He's no different than any other parent, but he just brings more to the plate."

McFadden directed the sports program for a youth Catholic league years ago. He said he enjoys working with kids because they genuinely want to learn.

"College sports have changed dramatically over the last 20 years," the coach said. "It used to be a lot of kids



USD men's soccer coach Seamus McFadden instructs the PQ Premier boys team at Canyonside Recreation Center in Rancho Peñasquitos. Jim Baird / Union-Tribune

you could tell to do something and they would do it. Now they want an explanation for why they should do it. The pure innocence of coaching is a

big pleasure for me."

Denise T. Ward can be reached at (619)718-5304 or at denise.ward@uniontrib.com

SAN DIEGO UNION-TRIBUNE
SAN DIEGO, CA
SUNDAY 444,899
FEB 15 2004

TEAMLESS SPIRIT

By **LESLIE GARCIA**
Staff Writer

As adults, we know we can't always win. We won't always get the girl, or the job we want, or the house we have our eye on.

And though it hurts, life does go on.

But when you're a kid, sometimes you get stuck in the moment. You feel paralyzed, frozen in time while everybody stares. Like

FITNESS

when you're in a piano recital and forget the piece you spent hours memorizing. Or when you slip in the cafeteria at lunch and your bowl of chili ends up all over your yellow shirt.

Or when you try out for the sport you love, the one you live and breathe. But then you look at the list of those who made it and you can't find your name on it — no matter how many times you check to make sure it's not spelled wrong, or listed by your middle name.

You're sad. You're mad. You're crushed and a bit embarrassed. Life could hardly look bleaker.

Well, at this point, though it feels otherwise, the ball is in your court. What you do with this setback is up to you. You can play for a recreational team that doesn't require tryouts. You can switch sports. You can quit. You can pretend it doesn't matter.

Whatever choice you make, though, could well take your life down one path or the other. And sometimes, you don't really know the effect of your decision until you glance over your shoulder.

Jim Hitzelberger

"As I look back, I know a lot of kids this happened to," says Jim Hitzelberger. "You can turn left or turn right. I turned right."

Mr. Hitzelberger grew up shooting hoops in his driveway, playing on teams in junior high and his freshman year of high school. But in spring of ninth grade, he tried out for the varsity team and didn't make the cut.

"It was such a disappoint-

ment," says Mr. Hitzelberger, now an attorney practicing in Garland. "I ... remember thinking, 'I should be out there.'"

So he took a deep breath and became team manager. He played in church leagues, all the while thinking he'd try out again for his school team. He did, but again he didn't make it.

"That was more disappointing the second time," he says. "I'd been manager with those guys and I'd shoot around after practice. I thought, 'I can hold my own now.' I was a little ticked ... it probably gave me the motivation to prove I could do it."

The summer after graduation, he played in various leagues. Then he tried out for the basketball team at Richland College. He made it.

After two years, Mr. Hitzelberger joined the basketball team at the University of San Diego.

He graduated and played basketball in France for a year, coming home with visions of playing in the National Basketball Association. But that summer, he injured his knee.

During rehab, a friend who played for the Harlem Globetrotters told him he could probably play on the team that plays

against them. So for a year, Mr. Hitzelberger traveled around the world, earning \$500 a month and loving it. Now, married and a father, he limits his basketball to after-work games with his three sons.

"Funny to say, I don't know what would have happened if I had made the team ..." he says. "People always think you must have been upset with the coach. But looking back, it was probably

the best thing that happened to me as far as basketball goes.

"I took it to say, 'Let me show you!'"

[BACK](#)


Article published February 6, 2004

Abravanel signs with Toreros



Jim Grant/Tahoe Daily Tribune Leon Abravanel signs a letter of intent to USD as his parents, from left, Asher and Gretchen and his high school coaches Chris DeLeon and Joe Winters look on.

Tahoe Daily Tribune
Staff Reports

By Jared Green
Tribune staff
writer
South Tahoe High
soccer star Leon
Abravanel signed
a national letter of
intent Thursday to
play at the
University of San
Diego beginning
next fall.
Abravanel, a key
leader on the
Vikings' state
championship
team, considered
Santa Clara, Duke,
Southern
Methodist,
Bradley and
Portland along
with the Toreros.
The senior said his

final decision came down to location and the strength of the USD program.

"The environment down there is just amazing," Abravanel said. "They've got great weather and the program is in the top 20 every year."

Abravanel is following in the footsteps of STHS graduate Alex Romagnolo, who played his final season with the Toreros last fall. Romagnolo was the starter at right fullback and USD head coach Seamus McFadden apparently has his eye on Abravanel for the same spot. The player has been a defender at every level except high school, where he was a midfielder for the Vikings.

With a scholarship in hand, Abravanel said he should have a good shot at getting immediate playing time for the Toreros. "I think (the scholarship) is a pretty good indicator of what they think of me. There are no guaranteed positions, but I think I'll have an opportunity to start pretty quickly," he said. "It'd be kind of cool to take over for Alex."

Joe Winters has been the South Tahoe varsity coach for a decade and said Abravanel is the best midfielder ever to play for him. The coach recognized his star's drive early on as Abravanel spent much of his teenage years traveling with his Olympic Development Program team.

"Even as a freshman I saw the dedication and commitment to the game," Winters said. "The biggest thing is that Leon stayed focused on his goals. He's done everything right, both athletically and academically."

Abravanel's commitment included three-hour workouts on his own in the offseason as well as an extensive travel schedule, but he also found time for schoolwork, carrying a grade-point average over 4.0. Earlier this winter he was honored by the National Soccer Coaches Association of America as one of 36 Scholar Athlete All-Americans.

The road to USD began when Abravanel was 5 years old, when he quickly became a standout on the pitch. South Lake Tahoe lacks high-level club teams for teenagers, which forced his family to look elsewhere for further development. Abravanel's parents, Asher and Gretchen, have spent countless hours driving their son to and from practices, games and tournaments.

"When a kid loves to do something and the parents can help out with the logistics, it opens up more doors," Asher said.

"It was really Leon's call and it was a year-by-year thing. Sometimes it was a day-by-day thing."

"I guess (the scholarship) means all of my family's sacrifices have been worth it," Leon said. "All the travel, the practices, missing school dances, it's all paying off now."

The travel won't be stopping anytime soon. Abravanel's club team is headed to Phoenix for a tournament next weekend and he will join a Player Development League team, the Nevada Wanderers, in Carson City this summer. He also has a trip to Europe planned for later in the spring to check out the professional soccer system.

With the letter of intent signed and sent to USD, the elder Abravanel sat back to reflect on his son's remarkable achievements.

"I really couldn't paint a better picture for him," Asher said. "He's living his dream."



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SUN CURRENT

Local News

Weisman scores less, wins more

By John Sherman
Sun Newspapers
(Created 2/19/04 10:12:46 AM)

Tucker Weisman, an All-Tri-Metro Conference guard for the Breck School boys basketball team, is scoring less this year – but winning more.

Weisman, who is scoring 17 points per game in his senior year, averaged 19.9 points per game last season. Although there has been a slight dip in Weisman's personal production, the Mustangs have a vastly improved record.

Breck defeated Minneapolis Southwest, 60-50, last week to boost its season record to 11-5. Last season the Mustangs finished 7-15.

"This is the second year we've had John Gray as our coach," Weisman said. "He understands us more and we understand him more."

Weisman, the son of John and Lori Beecher of Edina, said he isn't overly concerned about scoring a lot of points.

"When the team is successful, that's what I'm looking for," he said. "I have no problem with my points."

The Mustangs made one key acquisition this season when 5-foot-6 freshman Marcus Hill emerged as the starting point guard. Weisman said Hill has had a huge impact on the team.

"Marcus doesn't act or play like a freshman," Weisman said. "He brings a lot of energy to the court and he really takes care of the basketball."

Part of Hill's job is to put the ball in Weisman's hands. When that happens, it's usually a good thing for the Mustangs.

Weisman had one of the best games of his career earlier this season when he drained nine three-pointers and scored 35 points in a win over Forest Lake.

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Opponents have come up with numerous trick defenses, designed to keep Weisman at bay. They've double-teamed him; they've used a box and one. Weisman has always been a deadly three-point shooter, but with defenders hounding him, he has had to be more creative in finding ways to score. He is driving to the basket more than he has in the past and also pulling up for the medium-range jumper.

With the defenses keyed to keep the star player under control, Weisman's teammates are taking more responsibility for the offense.

For example, in the win over Southwest, 6-foot-5 sophomore center Jordan McMichael scored 20 points and 6-foot-1 senior forward Brandon Robinson scored 18.

Robinson, an all-state first team football player, is perhaps the player who has improved most this season.

"The last five or six games Brandon has really stepped it up," said Weisman. "He's a great athlete. It just took him awhile to go from football shape to basketball shape.

Other players who have contributed to the Mustangs' success are 6-6 senior forward Andy White, 6-2 sophomore forward Marcus Dormanen, 6-2 senior forward T.J. Thiel, 6-3 junior forward Brandon Flaata and 6-3 senior forward Brandon McMichael.

Weisman, a 6-foot-2, 185-pound senior, has aspirations of playing NCAA Division I basketball, but he's not closing the door on his Division III options in the MIAC.

"I've been looking at the University of San Diego and Pepperdine," said Weisman who has posted a 3.3 grade-point average at Breck. "Among the schools around here, St. Olaf College is at the top of my list. And Macalester is another possibility."

Weisman said he would like to play shooting guard in college, although he can also play the point guard position.

Since entering high school Weisman has been a one-sport athlete. Basketball is his focus, along with improving his strength and quickness.

He has worked out frequently with Eric McGraw at Fitness Central in Eden Prairie. Working at the sports-training facility has made him bigger, stronger and faster, he said. On the court, Weisman did some off-season work with William Humphries, the father of University of Minnesota star Kris Humphries, and former Minnesota Timberwolves player Chris Carr.

As he enters the final stage of his senior year, Weisman is looking for one thing he has not yet achieved – a trip to the state Class 2A tournament.

DeLaSalle, a perennial powerhouse, always has blocked Breck's path to state, but Weisman said this year could be different.

"We're definitely going to be a contender for the section title," he said.

Even though he has had less scoring responsibility this season, Weisman said he'll be ready to take the big shots in the playoffs. In four years as a varsity starter, he has been called upon to take many important shots – and he has made most of them.

THE INDIANAPOLIS STAR INDYSTAR.COM

Hlavacek kick-starts Firebirds

Return man tries to give Indiana a spark with his special teams work on kickoffs.

By Jeff Rabjohns

Jeff.rabjohns@indystar.com

February 23, 2004

The last time the Firebirds played at Detroit, Evan Hlavacek ran a kickoff back 45 yards for a touchdown, a key fourth-quarter play as Indiana opened the 2003 season with a 66-57 victory.

It was the first of six kicks Hlavacek returned for touchdowns last year, one short of the Arena Football League record.

A few more seasons like last year and Hlavacek would set the Arena league career record for return touchdowns.

"He may be the best in the whole league at returning kicks," said Firebirds coach Steve DeBerg, whose team will try to snap an 0-2 start tonight at Detroit (1-1).

In his fifth season in Arena football, the 5-10 Hlavacek has 10 return touchdowns, the latest coming in last week's 41-40 loss at New Orleans.

Lamont Cooper and Steve Papin share the league record for career return touchdowns with 24. (Arena football records combine kickoff return touchdowns and missed field goal return touchdowns, but don't have separate career records for each.)

Hlavacek plays a key role on the Firebirds' kickoff coverage team as well. In the Firebirds' season-opening 54-48 loss to Columbus, he recovered a kickoff off the rebound net for a touchdown.

After playing for the Firebirds in 1999 and 2000, Hlavacek spent the 2001 season with the Jacksonville Jaguars.

"He got a shot with Jacksonville because of his kick coverage ability," Firebirds defensive coordinator Mike Wilpolt said.

Last year, Hlavacek averaged 23.8 yards per kickoff return, a major factor on Arena football's 50-yard field.

"My job is basically to secure the ball off the net, then I take it and go," Hlavacek said. "We've got some good schemes, and they're working for us."

Hlavacek was a four-year starter as a running back at the University of San Diego, setting a school record for career touchdowns with 30.

He finished his college career with more than 1,000 yards rushing (1,392), receiving (1,439) and on kickoff returns (1,061).

In Arena football, the kick returner must turn his back to the oncoming defenders to catch the ball off the rebound net behind the end zone.

"At first, I was a little leery," Hlavacek said. "But I've been doing it for a while now, so it's second nature. If I get hit, I get hit."

Hlavacek was once timed at 4.31 seconds in the 40-yard dash, but his initial burst and



Evan Hlavacek of the Firebirds pumps his fist after taking a kickoff for a touchdown. Hlavacek had six kickoff returns for TDs last season, one short of the Arena Football League record. -- Mpozi Mshale Tolbert / The Star

TODAY'S GAME

- **Who:** Firebirds (0-2) at Detroit (1-1)
- **Kickoff:** 7:30 p.m.
- **Radio:** WXLW-950 AM

lateral quickness are more important in Arena football's eight-man game on a smaller field.

Playing defensive back and wide receiver in addition to special teams means he's usually on the field more than any player.

He said he doesn't mind playing on the coverage team in addition to returning kicks.

"It's fun. It's a good opportunity for us to steal a possession," Hlavacek said of trying to recover a Firebirds kickoff off the net.

"If I can do that, it's helping the team because this is a game of possessions."

Hlavacek also has seven catches for 69 yards and a touchdown, and two missed field goal returns for 30 yards.

"He has developed tremendously as a receiver," DeBerg said. "I think he's one of the best players at his position in the league."

Call Star reporter Jeff Rabjohns at (317) 444-6183


[Print Page](#)

IVFCA Hall of Fame

Brawley Union High Wildcats

Part I

>> Editor's note: This is the first in a series of stories on the Imperial Valley Football Coaches Association's Hall of Fame inductees. Hall inductees are selected by IVFCA coaches.

By TOM RONCO, Special to this newspaper

This year the Imperial Valley Football Coaches Association Hall of Fame committee named seven more Brawley Union High Wildcats players as inductees to the hall.

This year's honorees were typical of past inductees — a mix of tough, hard-nosed lineman and stellar running backs and receivers, all of whom excelled on both offense and defense.

But it was also a year of firsts for the Wildcat portion of the Hall.

This year marks the first time a Brawley player and his nephew were inducted together with Chet Riley inducted to represent the 1930s and his nephew Max Riley representing the 1960s.

They represent more than relatives. They represent the tradition and expectations of the Brawley football family.

"Chet's son John, my cousin, also played for Brawley in the '50s and my uncle was captain of his team and all we ever talked about was me playing for Brawley," said Max Riley.

This year also marks the first time a Wildcat coach was not inducted into the hall to join former coaches Bob Farrell, Hal McNaughton and Terry Lowe, whose combined careers spanned more than 30 years from 1950 to 1982. Prospective coaching inductees Steve Cato, Mike Swearingen and John Bishop are all still coaching at Imperial, Southwest and Brawley respectively.

"I would think that they would wait until after your career is over," said Bishop, an IVFCA committee member. "Brawley doesn't have archives like Imperial and Calexico do, so it's tough, but we talk to people who know about the early days and do our best."

1930s inductee — Chet Riley

Chet Riley, like many of the inductees before the 1970s, was from Westmorland and played football for the Wildcats, and at 6-foot played basketball as well.

Riley, a fullback and defensive tackle, captained the '35 team that won the Southern California championship, a precursor to the Southern Section of CIF.

"He was tougher than nails," said Betty Riley, his widow and Brawley classmate of the class of 1936.



Chet Riley was inducted into the Imperial Valley Football Coaches Association Hall of Fame on Saturday. BRAWLEY UNION HIGH LIBRARY ARCHIVE PHOTO

Riley earned All-Valley honors when the Wildcats played against all the other Valley teams including Holtville, Calipatria and Imperial.

"Holtville was a really tough team back then. And it was always a real dogfight between us and El Centro," said Betty Riley. "And I do mean a dogfight."

Chet Riley went on to play for Santa Ana College and was on its state junior college championship team in 1937.

The Hall of Fame is an honor Riley would have been proud to receive, according to his wife.

"Yes, I'm excited and he would have been proud," said Betty. "He could play every game over again in his mind and he never forgot a thing that happened."

Said John Riley: "The last few years of his life, that's all he talked about, how tough the games were ... he'd be very proud."

1940s inductee — Ray Minter

Ray Minter played halfback and defensive back under coach Sheldon Loughbrough during the 1940 and '41 seasons and was a standout sprinter on the track and field team.

Football was a family affair for the Minters, as his older brother Aubrey played in '38 and '39 and his younger brother Eugene played in '42 and '43.

"My brothers all just loved sports. We all did," said Luvenia (Minter) Smith of Brawley. "He was husky and he was fast and our whole family used to watch the boys play."

For the African-American Minters, athletic competition was not a given.

"At that time it was a prejudiced place here in the Valley, so it was a lot for them to play," said Smith. "They all felt accepted on the teams and the boys had an easier time in school because they played."

Brawley's Pat Casey, a hall member from the 40s, remembers watching Minter.

"People remember Ray as a fine person. And he played both ways, of course, and he was pretty fast," said Casey, who played at the end of the decade. "He didn't win many awards and it was probably because he was overlooked."

All three Minter brothers joined the Army, serving in World War II, and only Eugene would eventually play college football.

"They all went into the service after the war started," said Smith. "They were tough, but it's a miracle that they all came back (from World War II) alive."

Minter worked in the Valley after serving in the military, eventually moving and raising a family in the San Jose area.

Smith, who accepted the award for her deceased brother, said, "He would have been very proud and elated."

1950s inductee — Jack Triley

If each inductee has a story, Jack Triley is a book.

An All-Valley player as an offensive tackle and defensive nose guard in 1950 and '51, Triley played on coach Bob Farrell's first CIF championship team.

Triley had abandoned football to work when Farrell asked him to return to the gridiron.

"Farrell was a fantastic guy and I owe him a lot," said Triley. "We lucked out with him because when I was a freshman on (junior varsity) and he had the Central J.V., he beat us like 60-0, so we knew he could coach."

Triley remembers the CIF season of '51 and lining up alongside Mario Saikhon, who played guard. And he remembers blocking for fellow Hall of Fame members Mike Casey and Lynn Swearingen..

"We were pretty good-sized and I was quick for about the first 10 yards," said Triley. "The two-platoon system was coming in but I went both ways."

Triley remembers the excitement of playing football in Brawley in the pre-TV days.

"It was nice because football was a big thing then because there were lots of people from Texas and Oklahoma," said Triley.

Triley accepted a football scholarship to Santa Clara University, but when the Broncos dropped football after his freshman year, he transferred to the University of Miami.

Drafted into the Korean War, Triley played football for the U.S. Navy and eventually finished his college career at the University of San Diego, which ironically dropped scholarship football after his senior year.

"They talked to me about playing professional football, but the money wasn't very good, so I went to work," said Triley.

Triley, who was not able to attend the Hall of Fame induction ceremonies because of a prior commitment, was moved by his induction.

"I wish I could be there. It's quite an honor and I have lots of old memories," said Triley, who lives in New Jersey.

>> Part II of the Brawley Union High inductees will run Wednesday.

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